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HARRISBURG, PA., TUESDAY, SEPTEMBER 15, 1959.

No. 92.

SENATE

TUESDAY, SEPTEMBER 15, 1959.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, RABBI GERALD I. WOLPE, of Temple Beth El, Harrisburg, offered the following prayer:

Almighty God, this day is a marked moment in history. On our shores has stepped the ruler of a powerful and ambitious nation, the symbol of our amalek and the prophet of our ruin. We pray, Almighty Father, that the faith of our people, the grandeur of our land, the wisdom of our actions and the strength of our determination will turn his heart from destruction to peace, from duplicity to forthrightness and from hatred to love.

Thy children have suffered the scourge of war and human madness throughout these bitter years. Bless this as a mission of understanding, that from it will come a greater knowledge of Thee and that all Thy children will draw closer to Thy holy mountain as a brotherhood of all men under the kingdom of Thy merciful rule. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceeding session.

The Clerk proceeded to read the Journal of the preceeding session, when, on motion of Mr. BERGER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

September 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Oakes (Republican), 70 Morris Street, Clymer,

Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Merle L. Dickson, Black Lick, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sue B. Anderson, R. D. 2, Bedford, Bedford County, for appointment as Justice of the Peace in and for the Township of Bedford County, to serve until the first Monday of January 1960, vice John C. Anderson, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 765, entitled:

An Act authorizing and directing the Governor, on behalf of the Commonwealth of Pennsylvania, to execute an interstate compact concerning mental health and for related purposes.

Which was committed to the Committee on Rules.

House Bill No. 899, entitled :

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey, in cooperation with the United States Army Engineers, concerning a roadway between Presque Isle State Park and the City of Erie.

Which was committed to the Committee on Rules.

House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Com-

monwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs, the Auditor General, and the State Treasurer take office.

Which was committed to the Committee on Rules.

House Bill No. 1813, entitled:

An Act relating to cities of the Second Class A in relation to the publication or ordinances or resolutions and the drawing of money from the city treasury.

Which was committed to the Committee on Rules.

House Bill No. 2202, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), defining Basic School of Beauty Culture and Advanced School of Beauty Culture and prescribing registration fees for such schools.

Which was committed to the Committee on Rules.

House Bill No. 2341, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children or disabled persons.

Which was committed to the Committee on Rules.

House Bill No. 2359, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class fixing the compensation of auditors."

Which was committed to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION No. 59

REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

CONGRESS MEMORIALIZED TO INCREASE THE MINIMUM WAGE

In the House of Representatives, April 6, 1959.

The economic well being of the people of this Commonwealth depends upon the retention and increase of its industrial strength and the provision of adequate employment for its citizens.

In recent years certain industries, especially the "soft-goods" industries, have been enticed to move to other states by the prospect of cheap labor, with a resulting loss in employment for Pennsylvania workers in these industries.

It is in the interest of this Commonwealth to sustain the standard of living of its citizens, protect its industries and workers, and combat unemployment in every possible manner.

An increased Federal minimum wage is the only means by which the unfair competition of cheap labor can be equalized; therefore be it

Resolved (the Senate Concurring), That the General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States and calls upon it to increase the Federal minimum wage to \$1.25; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the House of Representatives, and the President of the Senate of the Congress of the United States of America, and to the President of the United States.

HOUSE CONCURRENT RESOLUTION No. 59 REFERRED TO COMMITTEE

He also, presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

JOINT STATE GOVERNMENT COMMISSION TO STUDY LAWS RELATING TO THE EXERCISE TO CONDEMN PROPERTY FOR PUBLIC PURPOSES

In the House of Representatives, April 20, 1959.

There is widespread dissatisfaction in this Commonwealth with the present laws relating to the condemnation of private property for public purposes and with the procedure in effect thereunder for determining the amount of damages to be awarded in connection with such takings. This dissatisfaction is increasing because of highway extension programs, suburban expansion, urban redevelopment, municipal growth and public authority activities. It has been heightened further because of the lack of uniformity in law and procedure as evidenced in the multifarious laws under which the various condemnors in this State must now act. The courts have been handicapped in developing satisfactory procedures to aid in arriving at substantial justice between the parties involved because of these statutory variances and because of judicial precedents which originated largely during the agrarian period of the Commonwealth's history and which fail to take into consideration the problems created by a changing economy, the expanding population and a revised concept of what constitutes public use.

A thorough and exhaustive study of all statutes on the subject of eminent domain now in force in this Commonwealth should be made, and, in addition, comparable legislation of other states should be examined, for the purposes of:

(1) Developing a single procedure, if possible, to provide for a determination of compensation to be paid in all cases regardless of the identity of the condemnor;

(2) Providing for the use of court-appointed appraisers, but permitting the parties to offer additional testimony if they so desire;

(3) Providing for payment to condemnors and other interested parties of a percentage of the value of the property taken, as determined by the court-appointed appraisers, within a definite period of time following the filing of their appraisal report in court;

(4) Developing a more workable and modern definition of "just compensation" which shall be applicable to all condemnors alike;

(5) Defining "time of taking" so that it shall be uniform in practice for all condemnors;

(6) Requiring condemnors to institute proceedings for determination of damages payable within a definite period of time following the taking;

(7) Requiring such damage proceedings to be instituted against the owners of all the property taken;

(8) Requiring that notice be given to all owners of property taken within a definite period of time after the taking;

(9) Requiring that personal or mailed notice of taking be given to tenants, mortgages and other lienholders of record of the property taken;

(10) Giving tenants, mortgages and other lienholders the statutory right to intervene and participate in damage proceedings to protect their respective interests in the damages to be paid;

(11) Requiring that a description of the property taken be recorded in the Recorder of Deed's office;

(12) Requiring that a notice of taking be filed in the Recorder of Deed's office, indexing the condemnee's name in the grantor index and the condemnee in the grantee index;

(13) Requiring that the Commonwealth be made liable, as other condemnors are, for consequential damages;

(14) Prohibiting condemnors from acquiring base fee interests in the property taken; and

(15) For making such other improvements in the law and procedure pertaining to this subject as may after such

study prove to be equitable and just; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate exhaustively the law and procedure relating to the exercise of the right to condemn property for public purposes in Pennsylvania and for the payment of damages therefor, with a view toward proposing a complete revision and codification thereof into one statute in order to eliminate present inconsistencies, produce uniformity in practice and procedure, assure just and equitable treatment between all interested parties and in general improve the administration of justice in this field of law; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations and submit thereto a draft of codifying legislation which carries into effect such recommendations.

HOUSE CONCURRENT RESOLUTION No. 82
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

JOINT STATE GOVERNMENT COMMISSION TO MAKE
A STUDY OF THE "FIRE AND PANIC ACT"

In the House of Representatives, June 9, 1959.

The laws of the Commonwealth of Pennsylvania relating to the safety of persons employed, housed or assembled in public buildings and other buildings and structures which accommodate a number of persons are in many instances obsolete and badly in need of revision.

Due to the advances which have been made throughout the years in the design and construction of buildings and the means of protecting such buildings and the persons therein, the same cannot be adequately governed by an act adopted over thirty years ago; therefore, be it

Resolved, (the Senate concurring) That the Joint State Government Commission be directed to make a thorough study of the act of April 27, 1927 (P. L. 465), sometimes referred to as the "Fire and Panic Act," and the amendments thereto, and related laws, for the purpose of recommending an extensive revision and modernization thereof; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HOUSE CONCURRENT RESOLUTION No. 97
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

JOINT STATE GOVERNMENT COMMISSION TO MAKE
A STUDY OF THE LAWS RELATING TO MINING

In the House of Representatives, July 28, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved, (the Senate concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining, and prepare a revision and codification of such laws. In preparing the revision and codification the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, represent-

atives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

HOUSE CONCURRENT RESOLUTION No. 100
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules.

JOINT STATE GOVERNMENT COMMISSION TO
INVESTIGATE STANDARDS USED BY THE
COMMONWEALTH TO PROVIDE FINANCIAL AID
TO NONPROFIT HOSPITALS

In the House of Representatives, August 4, 1959.

Whereas, The procedures employed by the Commonwealth to make available financial assistance to non-profit hospitals in order to facilitate the care of the sick and the injured poor have not been comprehensively reviewed within the recent past; and

Whereas, Alternative procedures have been suggested; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission investigate and evaluate the standards and procedures currently used by the Commonwealth to provide such financial aid, and that currently used procedures be compared with alternative procedures proposed as regards Commonwealth costs and operating efficiency; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of such legislation as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

HOUSE CONCURRENT RESOLUTION No. 102
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

STATE COUNCIL CIVIL DEFENSE CONSULT WITH
ATOMIC ENERGY COMMISSION ON DEFENSE
MEASURES

In the House of Representatives, August 5, 1959.

It has long been evident that the rulers of international Communism are determined to spread their godless doctrine to every part of the globe by any and all means, including war if other means fail.

The people of the United States and of the Commonwealth of Pennsylvania may one day be subjected to the supreme trial of an all-out atom and hydrogen bomb attack.

Such an all-out attack against us is less likely to come if we bring our military and civil defense preparedness to a high level.

The continuity of State government and protection of its key personnel will be of vital importance during an atomic attack.

The General State Authority is now designing a second underground parking facility to be built adjacent to the State Capitol Building in Harrisburg; therefore be it

Resolved (the Senate concurring), That the State Council of Civil Defense, in cooperation with the General State Authority, be directed to consult with the Atomic Energy Commission in Washington, D. C. on the feasibility of extending the use of the projected underground parking facility to include (1) a fallout shelter for government employees; (2) emergency operational headquarters to be used by the Governor and the Council of Civil Defense, or both, and study such other Civil Defense uses as can be made of the structure; and be it further

Resolved, That the State Council of Civil Defense report its findings to the Legislature; and be it further

Resolved, That copies of this resolution be transmitted to the State Council of Civil Defense and to the General State Authority.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 409

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 578

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 1177

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1177, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 1537

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1537, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing provisions relating to the keeping open of schools.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 1577

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1577, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) providing for inspection of certain vehicles operated outside the State.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 2201

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2201, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), further regulating obscene exhibitions.

SENATE BILL No. 143 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," defining aged persons' institutions and increasing the supervisory powers of the Department of Public Welfare.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 639 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086), entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole; . . .," whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 664 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; . . .," further providing for leaves of absence of faculty members of State Teachers Colleges.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT, The bill, as amended, will appear on tomorrow's Calendar.

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 2237

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE
BILL No. 2237

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 409, Printer's No. 1572;
House Bill No. 467 Printer's No. 823;
House Bill No. 470, Printer's No. 236;
House Bill No. 471, Printer's No. 237;
House Bill No. 578, Printer's No. 1573;
Senate Bill No. 699, Printer's No. 1367;
Senate Bill No. 835, Printer's No. 1368;
House Bill No. 1177, Printer's No. 1575;
House Bill No. 1537, Printer's No. 1404;
House Bill No. 1544, Printer's No. 874;
House Bill No. 1577, Printer's No. 1508; and
House Bill No. 2201, Printer's No. 1510.

REPORTS FROM COMMITTEES

Mr. KELLER, from the Committee on Education reported as amended, Senate Bill No. 789, entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority; defining its powers and duties; conferring powers and imposing duties on the Governor, President pro Tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking; and making appropriations.

He also, from the Committee on Education reported as committed, Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

He also, from the Committee on Education reported as committed, House Bill No. 1797, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second, third and fourth class, and validating certain taxes.

He also, from the Committee on Education reported as amended, House Bill No. 1897, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Broker License Act of 1929," further regulating deposits and disbursements of funds by brokers.

Mr. RUTH, from the Committee on Rules reported as committed, House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of

expenses and charges in connection with capitol improvements to the Ebensburg State School.

He also, from the Committee on Rules reported as committed, Senate Bill No. 1136, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," providing that persons participating in any sport or activity for recreation or exercise shall not be taxed.

He also, from the Committee on Rules reported as committed, House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

He also, from the Committee on Rules reported as committed, House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford Taylor, 114 Main Street, Wattsburg, Erie County, for appointment as justice of the Peace in and for the Borough of Wattsburg, Erie County, to serve until the first Monday of January 1960, vice Evert L. Pringle, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE ATLANTIC STATES MARINE FISHERIES COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice K. Goddard, State College, Centre County, for appointment as a member of the Atlantic States Marine Fisheries Commission, until November 16, 1961, and until his successor shall be appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers for the term of four years or until their successors are appointed and qualified:

William E. Blankenstein (Republican), 23 Alice Street, Crafton, Pittsburgh 5, Allegheny County, vice William T. Piper, Lock Haven, resigned.

Harold P. Fleming (Republican), 1710 Memorial Avenue, Williamsport, Lycoming County, vice William J. McCafferty, McKees Rocks, resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

Which was committed to the Committee on Rules.

Messrs. RUTH and SCOTT read in place and presented to the Chair Senate Bill No. 1176, entitled:

An Act amending the act of May 17, 1919 (P. L. 1798), entitled "Law Fixing Annual Charge on Forest Lands," providing of fixed charges on certain parks.

Which was committed to the Committee on Rules.

Messrs. STIEFEL and WEINER read in place and presented to the Chair Senate Bill No. 1177, entitled:

An Act providing that a married woman shall have a cause of action to the same extent now possessed by a married man for expenses which the wife may be obligated to pay as a result of injuries to the husband, including compensation for loss of a husband's society, services and assistance, including consortium.

Which was committed to the Committee on Rules.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 1178, entitled:

An Act providing that every civil or criminal judicial proceeding, either in law or equity, with or without a jury in all courts of the Commonwealth, the judge shall have the discretion to award as part of the costs to be assessed against either, both or any parties to litigation reasonable counsel fees or all or any part of the actual counsel fees incurred by the party or parties to the litigation.

Which was committed to the Committee on Rules.

Messrs. BERGER and WEINER read in place and presented to the Chair Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I am about to present a resolution, on behalf of my colleague, Senator Silvert, and myself. However, I believe a prefatory word would be most helpful so that we will not encounter any opposition.

This is a resolution of commendation, paying tribute to one of the agencies of our State Government; namely, the Pennsylvania Fish Commission.

In the hustle and bustle of our Session, we have over-

looked the fact that a most magnificent map of the aquatic life of Pennsylvania has been circulated in two instances. I do not know of any agency—and I checked upon it—which has published such a magnificent map. For this reason, I feel that we ought to express a word of commendation for the Fish Commission.

I am, therefore, offering this resolution, and hope that it will be immediately adopted.

SENATE RESOLUTION

COMMENDING THE FISH COMMISSION FOR THE PUBLICATION OF "WATERS-HIGHWAY MAPS"

Messrs. STIEFEL and SILVERT offered the following resolution (Serial No. 67), which was read, considered and agreed to:

In the Senate, September 15, 1959.

Whereas, fishermen's maps that would be complete as to the waters of the Commonwealth and how to reach them have long been sought by the many fishermen in the Commonwealth, and

Whereas, the Pennsylvania Fish Commission has instituted a project to fill the need by creating and instituting the publication of such maps and entitled them "Waters-Highway Maps," and

Whereas, the maps have been drawn on a sufficiently large scale to contain and name all waters that could contribute to hook and line fishing; yet, by limiting the coverage of each to one or two counties, they remain small enough to be carried and used afield, and

Whereas, the physical features on the maps have been limited to those essential for the special use to which they will be put, with each feature—waters, roads and State-owned lands—printed in a different color, thus making them truly functional and easy to read, and

Whereas, by careful planning their production costs have been kept sufficiently low to permit the project to be self liquidating at per map costs within the reach of most fishermen, and

Whereas, the conception, development and production of these specialized maps represent a service that, in significant respects, is entirely now among the conservation agencies of the nation, therefore be it

Resolved, that the Senate of Pennsylvania commend the Fish Commission for these original, useful and distinctive publications.

REPORT CONCERNING OMNIBUS ROAD BILLS

Mr. WADE. Mr. President, I now ask unanimous consent to make a committee report in relation to the so-called omnibus road bills.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I think it will be of interest to all the Members of the Senate that in years past we have had three so-called omnibus road bills; one changing township highways, another borough highways and the third, city highways. These bills were introduced in the House some time ago in skeleton form.

Mr. Comer, the Chairman of the Highways Committee in the House of Representatives, is now taking amendments to write into the bills. I hope that all Members of the Senate will get their amendments to Mr. Comer because one is a rather large bill and if all of the amendments are included in one printing, it will save us considerable money.

Mr. Comer's office is located at Room 521, on E Floor

on the House side, and he will be glad to take into consideration any amendments to the three omnibus road bills.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford Taylor, 114 Main Street, Wattsburg, Erie County, for appointment as Justice of the Peace in and for the Borough of Wattsburg, Erie County, to serve until the first Monday of January 1960, vice Evert L. Pringle, resigned.

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DAVID L. LAWRENCE

MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers for the term of four years or until their successors are appointed and qualified:

William E. Blankenstein (Republican), 23 Alice Street, Crafton, Pittsburgh 5, Allegheny County, vice William T. Piper, Lock Haven, resigned.

Harold P. Fleming (Republican), 1710 Memorial Avenue, Williamsport, Lycoming County, vice William J. McCafferty, McKees Rocks, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. BLASS, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Confair,
Chapman,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Probert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Welner,
Whalley,
Wolfe,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 141, Printer's No. 1166, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended "Incompetents' Estates Act of 1955" providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 356

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 356.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 13, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Walker.

The PRESIDENT. Will the gentleman from Cambria, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. WEINER. Is this bill part of the over all picture for a disposal unit which is being planned in your county, with this institution hooking into this over-all picture, or is this a separate unit in itself?

Mr. WALKER. This is the new hospital being built right out of the borough of Ebensburg. It was requested by the Administration and has been approved as such.

Mr. WEINER. I wish you would answer my question. It would help me with my next question.

Is this part of the over-all disposal unit being put into the county, or is this a separate unit being built just for this hospital?

Mr. WALKER. This sewer unit, to which the hospital is going to connect, is one used by the borough of Ebensburg. This is the proportionate share arrived at between the department and the officials of Ebensburg Borough.

Mr. WEINER. Is this going to be also a part of the amount of money which is being reimbursed to the county by the Federal Government in connection with this unit?

Mr. WALKER. I cannot answer that, Mr. President. However, I do not think that it is.

Mr. WEINER. I want to thank the gentleman. He has been very kind.

Mr. President and Members of the Senate, the problem which troubles me about this bill—and one which I think we should give some consideration to—is that there is presently in the budget about \$4,000,000 which returns the money to the local units on a two per cent amortization basis, in order to encourage these units to build this type of plant. If the county has received Federal money, which also goes to reimburse the area, plus this two per cent over a fifty year amortization period, and they are also receiving, I believe, \$225,000 here to do this work, it appears to me they are not only being paid to do this work, but you are then adding that money back into the over-all gross price or cost of doing this and then reimbursing them on this amount. It would appear to me that the unit will make a profit. Perhaps "profit" is a bad term, but they will be overpaid for the amount they actually expend, which goes beyond what the original purport of this bill was, the purport of returning the money to the particular local unit.

If that is happening, what we are doing, in effect, is over subscribing State-aid to the local effort. Therefore, they are receiving money above and beyond what they actually had expended. In all fairness to Senator Walker, with whom I have not had an opportunity to discuss this matter at any length, I think I would like to have an answer to this question in order for me to better understand it so that I can vote on this measure with those facts in mind.

Mr. WALKER. Mr. President, I might remind Senator Weiner that the two per cent does not go toward construction. That is applied after the system is in operation. No part of it is construction costs. This item, included in this bill, was the item arrived at by the Administration, with the borough of Ebensburg. It does not include any rebates, any grants or any funds which might be returned. This is the agreed share of the Commonwealth in participating in this sewer project.

Mr. WEINER. Mr. President, if I stated that the amount of \$225,000 goes toward construction costs, I meant to do so. This will be the over-all cost which will be added to the total amount that this plant costs. The two per cent amortization will be used to amortize not only the total amount spent, but this amount plus, which will be added to the over-all cost. In effect, as we are giving the money to the area to do the necessary work, we are then paying the area again for the money that they already received from the Commonwealth at the rate of two per cent over the next fifty years. It seems to me that this is a double payment. If I am in error in my view, I wish somebody would correct me. That is the view I take on this.

In other words, if you spend X number of dollars, you are now spending X plus \$225,000. The Commonwealth is then going to reimburse the local unit by two per cent for the next fifty years, based on X plus \$225,000 and not on X minus \$225,000. That is my question.

Mr. WALKER. Mr. President, the two per cent, if there is any such thing, and I question it very much, would be

returned to the Commonwealth. It would not be used by any political subdivision which has no part in the ownership of the big \$8,000,000 hospital that is being built there. I cannot see any way in which a double payment would be made or an overlapping or a refund of money from the Commonwealth, due to this bill.

This is not a construction matter. This is a share of costs arrived at between the borough of Ebensburg and the Department of Health as their proportionate share, and they have agreed to that. I cannot see anything at all wrong with the bill. Everybody is agreed that it is a great institution. I think this bill certainly should have the support of both sides of the Senate.

Mr. SEYLER. Mr. President, I think Senator Weiner's question is well taken. It suggests a question which had not occurred to me.

As I understand it, if a municipality—in this case, it is a borough—is building a sewage disposal plant, they are entitled to receive from the Commonwealth two per cent per year of the amount spent for the disposal plant, so that the plant will be amortized over a period of fifty years. If this is correct, then it means that this borough will be receiving two per cent on the total cost, including the part which the Commonwealth is giving it.

If this is incorrect, I think we should have an explanation. If we do not know, I, personally, would like to have this bill go over in order, until someone can find out. It seems to me this is obviously a miscarriage of justice if the Commonwealth is going to compensate them for the total amount, when actually the Commonwealth is paying part of the construction. Can anyone explain this, Mr. President, either the sponsor or others?

Mr. WEINER. Mr. President, the point I would like to make to Senator Walker is that we passed—I may be in error as to the exact Session—in the 1953 Session, I believe, an Act which allows any local unit that engages in the clean streams program—and part of it is sewage disposal—to receive two per cent back for the over-all expense which is incurred. I want to point out to Senator Walker that this is now a law in the Commonwealth of Pennsylvania. There are many communities receiving this two per cent, and will be receiving it for the next fifty years, to reimburse them for the money they have expended. This is sort of a sop to them, along with the Federal money they receive, to engage in this type of activity so that we have a better type of sewage disposal system in Pennsylvania and also better water in the State.

This is a fact, Mr. President. What we are trying to inquire about is whether this is going to be added to the total amount. In other words, will we be paying this amount of money twice?

Mr. STEVENSON. Mr. President, perhaps I can throw a little light on this subject.

The Commonwealth, in order to contribute toward the maintenance and operation of the sewage disposal plants, has allotted a certain amount of money each year. We were supposed to contribute at the rate of two per cent. The fact of the matter is that there has never been enough money appropriated—it has run about one and one-quarter per cent in late years—because of the fact that new sewage disposal plants are being added each year. This money was never intended for the purpose of the cost of the plant. Most of them are built by Municipal

Authorities. This is to help the local unit development to meet the operating and maintenance costs. In no way, in my opinion, is this connected with the reduction of the cost of the plant.

Mr. SEYLER. Mr. President, I followed Senator Stevenson's explanation, and I would like to ask him this question. Is the two per cent, or the de facto one and one-half per cent, based on the total cost of the project?

Mr. STEVENSON. That is correct.

Mr. SEYLER. Well then, would this not mean, Mr. President—I would ask Senator Stevenson—that we would be paying two per cent, or one and one-half, on an amount which is, in part, being contributed by the Commonwealth? In other words, my question is, would the one and one-half per cent be on the total cost, or would it only be on that part of the cost which is borne by the municipality? That seems to me the point at issue.

Mr. STEVENSON. Mr. President, it is applied on all the main trunk lines, and all that feed into the main trunk lines, in the sewerage system. It is not to go in any way for the retirement of the bonds that have been issued by the Municipal Authority. It is simply to relieve the local unit of the operation costs and the maintenance of these lines.

Mr. SEYLER. Mr. President, as I understand the Senator's answer, he is saying that the two per cent, or one and one-half per cent, is paid on the total cost of the project. Mr. President, this seems to me an inequity if, as a matter of fact, the State is putting up one-third, or whatever percentage of the total cost it is, and then in turn is paying one and one-half or two per cent on that amount, as well as the amount that is being spent by the local community.

I think we need some further clarification of the issue before we are ready to vote on it. I would personally wish that we could have the bill go over in order until we get a more specific understanding of the facts involved.

The PRESIDENT. Are you asking that the bill go over in order?

Mr. SEYLER. Mr. President, if there is no objection, I will ask that the bill go over in order.

Mr. WALKER. Mr. President, if you will refer to the Nineteenth Biennial Budget of March of this year, on page 121, you will find the Ebensburg State School, showing patient capacity of 130 people. I am at a loss to understand the reasoning of Weiner and Senator Seyler. If the State wanted to build its own sewerage plant, of course, they could have done that, but they did not choose to do so. They chose to go in with the Borough of Ebensburg, in a common sewerage disposal plant.

I cannot see the reason for this harangue nor can I see any justification for the bill going over. Senator Stevenson has told you that it is not a construction cost, that the two per cent is a maintenance and operating cost, and certainly there is no ambiguity in this matter.

Mr. WEINER. Mr. President, I would just like to point out one thing to Senator Walker.

We are not haranguing about this bill. There is no one here who is going to vote against a hospital or any such activity. We are in favor of this bill, we are in favor of what the hospital is trying to do and we are in favor of the entire program. What we are trying to

learn here—and it is only as a point of information that we are asking—is to find out whether we are going to be paying this same amount twice.

I would like to point out to the gentleman that one of the reasons the State did not go into this project, and join with the borough in that particular area, is so they can participate in the Federal funds that are set aside for this type of work.

We are in favor of the hospital, we are in favor of the work and we have voted for all of these things up to this point. Therefore, we are not trying to harass him or harangue him. There is nothing personal concerning the area he comes from or with the Senator himself. We are just trying to get a point of information, whether we have to pay this money twice. That is the only point we are trying to make.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Clinton, Senator Stevenson, who I know is an expert in this particular field.

The PRESIDENT. Will the gentleman from Clinton, Mr. Stevenson, permit himself to be interrogated?

Mr. STEVENSON. I will, Mr. President.

Mr. LANE. Senator Stevenson, what I would like to know is this. On page 2, it sets up that the Commonwealth is going to pay its proportionate share of the expenses and charges to be incurred in establishing and contracting with an Authority, and so forth. On page 1, it sets forth the sum of \$225,000. Could you tell me who set that figure of \$225,000?

Mr. STEVENSON. No, I cannot answer that. I do not know how this bill was set up.

Mr. LANE. Senator, that is the big question in my mind, whether or not that is actually the State's proportionate share. I think that probably you will agree with me that we should carry this bill over until tomorrow and see if we can determine just what the actual costs are, because in the title of the Act it states "capital improvements," and I would like to have that clarified.

Mr. STEVENSON. I think, Mr. President, that this is an item of expense that any State institution should bear to pay its share of the cost of the plant in lieu of building its own plant. I think that is what this is designed to do in this bill. This has no connection, in my opinion, with the regular two per cent which is for maintenance and operation of a sewage disposal plant, in keeping the lines in shape, and so forth. That is a separate subject, it seems to me.

Mr. LANE. Senator Stevenson, in all probability, I think you are correct. However, I do think we should carry this over and see if we can find out just what the State's proportionate share actually is as far as the improvements are concerned at this particular school. Do you not agree?

Mr. President; I think a motion was made to carry the bill over in order.

The PRESIDENT. There was a request made, but Senator Walker said that he would object. Senator Mallery would like—

Mr. LANE. I yield to Senator Mallery.

Mr. MALLERY. Mr. President, there are several bills on their way through the Legislature, other than this bill, and they are all similar in their import. For example, the Hollidaysburg State Hospital empties sewage into the Hollidaysburg sewage disposal plant. The institution

has grown. In fact, the history of it is that the county of Blair was one of the first counties in the State, possibly, to provide its own mental hospital. During the Earle Administration, the State took over the hospital, and most of the buildings in the interim have been razed and new buildings constructed. Of course, the population of the hospital has increased by the hundreds.

The time has arrived now when the size of the Hollidaysburg sewage disposal plant must be enlarged to take care of the sewage of Hollidaysburg and also of the Hollidaysburg State Hospital.

Secretary Shapiro, while he was Secreary of Welfare, agreed with the council of the borough of Hollidaysburg that the sum of \$134,000 would be a fair share for the State pay. The sewage disposal plant is costing, I believe, \$440,000. The present Secretary of Welfare, Mrs. Horting, has likewise agreed that this is a fair amount.

I presume this is the same situation that exists in the Ebensburg case. It is not an appropriation of a part of that two per cent which has been brought into the picture, but an outright appropriation by the State to pay a fair share of the cost of the new sewage disposal plant which is being built or possibly has been built.

Mr. LANE. Mr. President, in reply to Senator Mallery, I might say that in all probability that is correct, also. However, we still do not have any accurate figure as to who set up the sum of \$225,000 as the State's contribution, and I think that is the big question here. That is the reason I requested the bill go over in order because in view of the fact that we are going to be looking around for money,—I understand the budget is going to be cut by \$60,000,000—we may need a few thousand dollars. If we can save a little bit, we want to do it.

BILL OVER IN ORDER

Mr. LANE. I now request that this bill go over in its order.

Mr. BERGER. Mr. President, I believe that Senator Walker previously objected to the bill going over in its order.

The PRESIDENT. No, Senator Walker said he might object.

Mr. BERGER. Very well, I have no objection.

The PRESIDENT. There being no objection, the bill will go over in its order on final passage.

REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570; and

House Bill No. 662, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 10, Printer's No. 10, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman form Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Have you had a meeting of the Committee on Highways since August 19?

Mr. WADE. Mr. President, we have not had a meeting of the Committee on Highways, to the best of my recollection.

Mr. WEINER. Are you aware that there is a bill, House Bill No. 1887, in the Committee on Highways which deals with this very subject and which has passed the House?

Mr. WADE. I am, Mr. President. However, it includes much other material.

Mr. WEINER. Mr. President, I would appreciate it if the gentlemen would tell us what other extraneous material this bill might have in it that might be objectionable and which does not cover this same subject.

Mr. WADE. As I recall, Mr. President, the material in the House Bill, referred to by Senator Weiner, carries a provision that if additional gasoline taxes were levied, the townships would share, as they do in the present law, in the new levies. That is my recollection.

Mr. WEINER. Would you object to this bill going over in order until you have had an opportunity to compare these two bills? We have a bill which has already passed the House and all we have to do is pass it in the Senate. Then we would have this as a matter of law. It is an important phase of our legislative over-all program. Whereas, this bill now has to pass the Senate, go over to the House, come out of committee and be passed there.

If you would like to confer with your counsel, I would be very glad to let you. I notice that Senator Ehrgood is conferring with the gentleman.

Mr. WADE. Mr. President, I would have no personal objection to this bill going over in its order.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Knowing the gentleman well, and knowing him to be a genteel man, I am sure he would have no objection to the bill going over in order. However, would the gentleman please look at House Bill No. 1887 and see if we can work out the problems between these two bills so that we will not spend time in having this bill go to a Conference Committee?

Mr. WADE. I will reply to the gentleman by saying that members of the committee have gone over the bill very carefully and considered all phases of this allocation to the different municipalities, but I certainly would have no objection to further studying it.

Mr. WEINER. Mr. President, is this bill which he has referred to House Bill No. 1887 or is this Senate Bill No. 24?

Mr. WADE. Mr. President, I refer to House Bill No. 1887.

Mr. WEINER. Mr. President, I want to thank the gentleman, and I would also like to point out to him that if he has not had a meeting of the Highways Committee since August 19, how could the members of the committee have had an opportunity to study this bill if the committee did not have a meeting?

Mr. WADE. Mr. President, I want to inform the gentleman that the members of this committee are very forward-looking and as soon as bills appear in the House, they are pruned very briefly, and we study House Bills as well as Senate Bills.

Mr. WEINER. Mr. President, might I ask the gentleman one further question?

The PRESIDENT. Will the gentleman from Cumberland permit himself to be further interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Will the gentleman tell us whether he has ever had the benefit of the advice and counsel of some of the Members sitting on this side when he looked at a bill which was in the House?

Mr. WADE. That is rather hard to answer because Members on that side have been very regular in their attendance at the Highways Committee Meetings. When these different subjects were discussed, they took part in the discussions and added very much to the meetings.

Mr. WEINER. Mr. President, will the gentleman further permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. If the gentleman didn't have a meeting of the Committee on Highways since August 19 and this bill came to him at that time, and he hasn't had an opportunity to discuss it with Members on this side, how would he know whether they were regular in their attendance or not?

Mr. WADE. I repeat, Mr. President, in all sincerity, that these different phases which are covered in House Bills as well as Senate Bills are discussed in the meetings, and the various phases of the legislation confronting us are considered. For instance, we distributed copies of House Bill No. 1702, which was a very far-reaching measure and completely rewrote the Highway Department Code. That was discussed in open meeting and received many comments, one way or the other. However, that bill has never reached us.

Mr. WEINER. I want to thank the gentleman, and I would also like to add that he is a most unusual Chairman when he has an opportunity to present to his committee bills that are not before the committee to take a vote on them before they even had an opportunity to read the bills. It is a shame there are not more Chairmen of other Committees that do the same. If there were, maybe we would have the total over-all picture here of all bills before they reached us. I want to thank the gentleman, Mr. President. I feel this is a good measure. However, I feel that we would save some time if we

had the benefit of having House Bill No. 1887 in front of us. It already has passed the House and has had all of its problems ironed out. Whereas, this measure is somewhat untried in that it may have to run the gantlets of a committee and also the Members of the House.

Mr. WADE. Mr. President, I should like to correct the gentleman in one small detail. I did not say that we took a vote in committee. We considered legislation, but not necessarily took any vote. As a matter of fact, we did not take a vote.

This bill that we are now considering is not a revolutionary measure at all. It is simply the present law, extended through the years 1960 and 1961. There is no change in the present law at all, except that it continues this floor of the allocation to the different municipalities for the years 1960 and 1961.

The House Bill to which the gentleman referred is more far-reaching and rather revolutionary. It provides that at any time when we would increase the gasoline tax, or the liquid fuels tax, then we are automatically allocating to the different municipalities twenty per cent of the residue of that tax, less the amount that goes to the counties, which is one-half of one cent per gallon.

Mr. WEINER. Mr. President, I have no objection to this legislation. I think it is good legislation. However, my objection is that a Chairman, who is as forward-looking as the Chairman of the Highways Committee is and who takes such revolutionary measures as to look over legislation before it even comes over to the Senate, when it is merely introduced in the House, should at least have the benefit and counsel of some of the Members sitting on this side who can help him. I would think it is no more revolutionary than the measure he talked about, to go into this matter and bring it before all the Members of the Committee in order for them to have an opportunity to vote or not vote on it, as they see fit. I think we should have the benefit of this type of advice which only this committee could give us.

The PRESIDENT. Is there any objection to the request that this bill go over in its order? The Chair hears none, and the bill will go over in its order on final passage.

Mr. WADE. Mr. President, I object to this legislation going over in its order. I do not think it would serve any good purpose. I do not know that the short debate on this Senate Bill No. 24, which was introduced on January 20, 1959, has brought out any features which would prove to be objectionable. Senator Weiner just said, in his statement a moment ago, that he thought it was good legislation. I still think it is good legislation. I think we should clear the Calendar of some of these measures that are not too revolutionary.

The PRESIDENT. Senator Wade, it grieves me deeply to tell you that I have announced that the bill has gone over in order, on final passage, before you made your objection.

Mr. WADE. I am sorry, Mr. President.

The PRESIDENT. If I am to follow the rules, I would say that I must abide by my original decision.

Mr. WADE. It is perfectly agreeable to me. Thank you very much.

POINT OF INFORMATION

Mr. WEINER. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman will state it.

Mr. WEINER. Who asked for the bill to go over in order?

The PRESIDENT. You did.

Mr. WEINER. I made no such request, Mr. President.

The PRESIDENT. You may not realize that you did, but you made—

Mr. WEINER. I made no such request. If I did, I certainly want to withdraw it.

The PRESIDENT. Are you asking now that the Chair revise its opinion? I am perfectly happy to do it, but—

Mr. WEINER. Mr. President, I respectfully say to the Chair that I believe Senator Wade said, "I have no objection to this bill going over in order." However, I did not ask for the bill to go over in its order.

The PRESIDENT. I am sorry, Senator Weiner, but I distinctly heard you. Do you wish to go back to the record or do you wish to withdraw your original request?

Mr. WEINER. If I made such a request, Mr. President, I am now asking that it be withdrawn. However, in my discussion of this bill, I merely stated that if we hold this bill over, we will have an opportunity to look at House Bill No. 1887. It was not my request to have the bill over in order.

The PRESIDENT. I would say, on the basis of listening to this debate, that I could not possibly go wrong by allowing you to withdraw the request even though I could not recognize the objection which came just a trifle too late. Therefore, the bill is now before the Senate, on final passage.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 398, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, on behalf of Senator Madigan and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Title, page 1, second and third lines of Title, by striking out "vehicle code the tractor code the motor vehicle financial responsibility act" and inserting: "Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act"; Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time, and inserting: "section"; Amend Sec. 1, page 2, lines 1 and 2, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Sec. 1 (Sec. 905), page 2, line 5, by inserting a bracket before "may" and after "discretion" and inserting immediately thereafter: "shall."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 398, Printer's No. 1072, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, on behalf of Henry George, Jr., who is not a Member of this Body, and Senator McGinnis, we both thank you.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, if this is going to result in a single tax instead of the maze of taxes we now have, I certainly join in the congratulations.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 632, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116), entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" changing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 679, entitled:

An Act amending the act of March 26, 1925 (P. L. 83) entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" eliminating licenses and license fee requirements.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,

Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. LANE. Mr. President, inasmuch as I am planning on offering amendments tomorrow morning, I ask unanimous consent that House Bill No. 680, Printer's No. 176, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 738, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 831, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the issuance of certain permits within each county.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Harney,	McMenamin,	Silvert,
Berger,	Hays,	Miller,	Stevenson,
Blass,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Taylor,
Chapman,	Kessler,	Pechan,	Van Sant,
Confair,	Koprivier, Jr.	Propert,	Wade,
DiSilvestro,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
Ehrgood,	Madigan,	Ruth,	Watkins,
Elliott,	Mallery,	Sarra,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,

NAYS—2

Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" extending the provision of the act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Fleming,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KROMER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 249, page 91, line 18, by striking out "ONE" and inserting: "two"; Amend Sec. 249, page 91, line 19, by striking out "DIRECTOR WHO" and inserting: "directors the first of whom"; Amend Sec. 249, page 92, line 1, by inserting after "and": "the second shall be in charge of and responsible for"; Amend Sec. 256, page 97, line 17, by striking out "WITH" and inserting: "without"; Amend Sec. 256, page 97, line 18, by striking out "FISH BOX" and inserting: "fish-box"; Amend Sec. 256, page 98, line 1, by striking out "COAT."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. KROMER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1545, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, speaking on behalf of myself and some of the people who live in my area, I would like to go on record as being opposed to this bill. Although the bill itself may be innocuous on its face, I feel this is just one more step in the Girard College case. Although this does not deal with the Girard College Fund, I believe that it does, in repealing many of the acts which appear on the last page of this legislation, go one more step in further laying down the doctrine that this is an institution not connected with the public interest.

I know that the United States Supreme Court has made a decision in this case. I know that the Orphans' Court in the city of Philadelphia has seen fit to take steps to implement that decision and to take a different course of action. Be that as it may—we are merely a legislative Body and not a judicial body—I feel that I, in protest, not to this legislation as such, but in protest to the over-all picture, want to vote against this piece of legislation.

Mr. BERGER. Mr. President, this bill is more in the nature of tidying up a bill than anything else. It is entirely consistent with the law as enunciated by the Supreme Court. The Philadelphia Bulletin, of Sunday last, I believe stated in part as follows:

"The Orphans' Court has questioned the propriety of the Board of City Trusts still serving as guardian for boys at Girard College and for its graduates not yet 21 years old.

"President Judge Charles Klein yesterday told the City Solicitor's office it is high time some definitive action was taken to clear up the situation which is a hangover from the board's former position as the city agency administering Girard College.

"It is inconceivable that the city should maintain it can act as state guardian now . . . in light of the stand it took during the recent litigation over the Girard issue, Judge Klein said.

"Such a position would give the city solicitor the appearance of talking out of both sides of his mouth at once, he added."

Mr. President, without reading any more of the article, this bill is simply to make consistent the guardianship of the orphan boys at Girard College and to remove from the Board of City Trusts the guardianship and place it in the hands of the trustees appointed by the Orphans' Court.

Mr. WEINER. Mr. President, this is a serious matter and I do not want to inject any levity into it. However, apropos of what Senator Berger just said, it is reminiscent of a very famous story, which most of you have heard, about the city lawyer who received a call from a friend of his from the country about a client being charged with a crime. As the lawyer was proceeding from his office in the city out to the country, where this case was going to be heard by a country squire, he happened to pick up what is known as advanced notes, which are books that are printed in sort of a contemporary form, like a magazine, and which give all the recent cases as they come down from the higher courts. Noting on the first page a case which fitted directly to the case in point, the one out in the country, he took this book with him and ran out to the squire. As he was listening to the case and the case came to an end, he realized that his case was on all fours in this little booklet. He said, therefore, to the squire, "Before you pronounce judgment or take any action, I want to show a very recent decision. He read this case out of this little book. Whereupon, the squire said, "I do not know how the city lawyers practice, but we do not take our law out of magazines."

I would like to say to the gentleman, Mr. President, that I would rather not take the law out of a newspaper. If President Judge Charles Klein feels this is so important, I think he should be in touch with the gentlemen here who have come from Philadelphia. I think he should write us a letter or two. I do not know of anyone who has received any communication from him. However, if he wants to practice law or tidy up his business in the Philadelphia newspapers, it is all right with me and I guess he can do that. However, I think it might be a little bit better if he contacted some of the people here.

I said originally that I, personally, feel this tidying up is not in keeping with the thinking that I have on this matter. I do not want to be part of this tidying up procedure.

Therefore, Mr. President, I desire to be recorded as voting "no" on this legislation.

Mr. BERGER. Mr. President, first of all, I want to correct something I said. I thought the newspaper article appeared in Sunday's issue of the Philadelphia Bulletin, but it happens to be the issue of Thursday, September 10.

What the Minority Leader has just said is a great blow to me. I thought nearly everybody read the Philadelphia Bulletin.

Mr. SILVERT. Mr. President, I had occasion to have this bill referred to me for study and report at our Caucus. I read the bill thoroughly. It is now an established fact that the Board of City Trusts no longer handles the assets of the Girard Estate, which amounts to some \$95,000,000. Whether we like the change of trusteeship or not, humanitarian reasons should not effect our vote on this bill.

This bill deals primarily with the small funds owned by some of the students who are minors at Girard College. Now since the Board of City Trusts no longer supervises or controls the big fund, I can see no reason why there is anything wrong with saying that these small funds should be transferred to another trustee. As far as I am

concerned, I can see nothing wrong with the bill and I intend to vote for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Berger,	Kalman,	McMenamin,	Silvert,
Blass,	Keller,	Miller,	Stevenson,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
Donolow,	Lane,	Ripp,	Wagner,
Ehrgood,	Madigan,	Ruth,	Walker,
Elliott,	Mahady,	Sarraff,	Watkins,
Flack,	Mallery,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

NAYS—9

Barr,	McCreesh,	Rooney,	Stiefel,
DiSilvestro,	Mullin,	Seyler,	Weiner,
Hays,			

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1015, Printer's No. 1635, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1041, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled as amended "Transfer Inheritance Tax Law" excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies corporations or associations operated exclusively for the benefit of its members and not operated for profit.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to inform the Members of the Senate that the Revenue Department opposes this measure. Their reason for opposing the bill is because it adds cemetery companies to the list of charitable organizations already exempt from paying of the inheritance tax under the present Act. The State of Pennsylvania has patterned itself after the Federal statute and has been administering it in that fashion. This is a further extension of that statute and there doesn't appear to be, as far as the Department is concerned, any reason to give any new deductions other than what has been given in the past.

I feel for that reason, and because it would cost the State revenue, that we are only opening another door in this same area. I think we should vote "no" on this

bill. Therefore, I would ask my colleagues to vote "no" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—22

Barr,	Lane,	Mullin,	Sarraff,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

A majority of all the Senator having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1423, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1071, Printer's No. 1110, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" changing the limit on retail licenses.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill presents a rare opportunity, and I think everyone should vote for it. This is the one time that you can be in favor of the temperance league and also for the tavern men at the same time. You can't hardly get legislation like that anywhere. I think this is a bargain rate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

YEAS—48

Barr,	Harney,	McGinnis,	Shafer,
Berger,	Hays,	McMenamin,	Silvert,
Blass,	Kalman,	Miller,	Stevenson,
Camel,	Keller,	Mullin,	Taylor,
Chapman,	Kessler,	Murray,	Van Sant,
Confair,	Koprivier, Jr.,	Pechan,	Wade,
DiSilvestro,	Kromer,	Propert,	Wagner,
Donolow,	Lane,	Ripp,	Walker,
Ehrgood,	Madigan,	Rooney,	Watkins,
Elliott,	Mahady,	Ruth,	Weiner,
Flack,	Mallery,	Sarra,	Whalley,
Fleming,	McCreesh,	Scott,	Wolfe,

NAYS—2

Seyler, Stiefel,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1455, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "Bituminous Coal Open Pit Mining Conservation Act" changing penalties in regards to certain actions relating to registration and furnishing of bonds.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1463, Printer's No. 871, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1566, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163), entitled as amended "Orphans Court Act of 1951" conferring exclusive jurisdiction of control of decedent's

burial on the orphan's court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, first line by inserting after the word "court" the following: "except in counties of the First Class"; Amend Section 301, page 2, line 4, by inserting after the word "court" the following: "except in counties of the First Class"; Amend Section 302, page 2, line 11, by inserting after the word "court" the following: "except in counties of the First Class"; Amend page 3, line 4, by inserting after "incompetent" a new Section to read: "Section 2 this act shall not apply to counties of the First Class"; Amend page 3, line 5, by striking out "two" and inserting: "three".

On the question,

Will the Senate agree to the amendments?

Mr. STIEFFEL. Mr. President, I already pointed out yesterday that as a Member of the Joint State Government Commission, I voiced my position at that time and asked for certain amendments of exclusion which would eliminate the application of this bill to Philadelphia County. At the time, I pointed out the reasons for my stand.

Senator Berger graciously promised to look into it, and I believe that my statement was substantiated.

Mr. BERGER. Mr. President, I believe I stated that I did not recollect the action of the Joint State Government Commission in connection with the subject matter of these proposed amendments, and that I would look into it and I did so.

I find, Mr. President, that the Executive Committee of the Joint State Government Commission, in the report of the proceedings of that Commission, recommends that:

"Philadelphia be excluded from the affect of this proposal and from proposals one, two, three, four five, six, seven and eight on the following pages.

Mr. President, I agree to the amendments.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that House Bill No. 1566, Printer's No. 987, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1654, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" increasing the rate of tax on use and occupancy of house trailers.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1835, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating the exercise of powers by the Department of Banking and boards thereof extending the time in which the department may approve or disapprove articles of incorporation or amendment providing for contribution by associations and ratifying contributions heretofore made permitting and limiting the sale of participations in direct reduction mortgages and repealing inconsistent legislation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Seyler,	Watkins,
Fleming,	McGinnis,	Shafer,	Weiner,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2049, Printer's No. 1262, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2259, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled as amended "The Pennsylvania Securities Act" changing the registration year and providing for registration fees.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2265, Printer's No. 1577;

House Bill No. 2267, Printer's No. 1340;

House Bill No. 2268, Printer's No. 1341;

House Bill No. 2270, Printer's No. 1343; and

House Bill No. 2271, Printer's No. 1576.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

REVENUE BILLS ON SECOND READING
OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills on second reading, go over in their order:

Senate Bill No. 1105, Printer's No. 1426;
Senate Bill No. 1112, Printer's No. 1427; and
House Bill No. 2100, Printer's No. 1639.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 301, Printer's No. 1399;
Senate Bill No. 446, Printer's No. 1323;
Senate Bill No. 447, Printer's No. 481;
Senate Bill No. 448, Printer's No. 1324; and
Senate Bill No. 449, Printer's No. 1325.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" including costs of grading sewage treatment plants and interests thereon in computing reimbursable rentals.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 997, entitled:

An Act designating the whitetail deer as the official State animal.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1001, Printer's No. 1190, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1031, Printer's No. 1215;
Senate Bill No. 1036, Printer's No. 1340;
Senate Bill No. 1046, Printer's No. 1237;
House Bill No. 1054, Printer's No. 1405; and
Senate Bill No. 1079, Printer's No. 1382.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1115, Printer's No. 1333, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1133, Printer's No. 1370, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1160, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1297, Printer's No. 1507; and
House Bill No. 1472, Printer's No. 640.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1554, Printer's No. 1209, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1572, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" further regulating

reinstatement and requirements for credit for previous service and retirement allowances of certain reemployed persons.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1701, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" extending the period for shooting on regulated shooting grounds.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1907, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" clarifying the provisions relating to shooting across highways or at wild birds or animals on highways.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships, and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2033, Printer' No. 1394; and

House Bill No. 2094, Printer's No. 1291.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2172, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2203, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law" permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the Postponed Calendar by Mr. BERGER.

The Senate resumed the consideration of Senate Bill No. 298, as follows:

An Act making an appropriation to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 298

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which this bill passed Third Reading on September 9, 1959.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. FLEMING. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent, on behalf of Senator Wolfe, to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, first line of Title, by inserting after "appropriation": "out of the Fish Fund"; Amend Sec.

1, page 1, line 2, by inserting after "appropriated": "out of the Fish Fund"; Amend Sec. 1, page 1, line 6, by inserting after "river": "Such survey shall be begun as soon as possible after the effective date of this act, and a report of the progress thereof shall be submitted to the next General Assembly."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 298, Printer's No. 322, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 534, entitled

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 789, entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority; defining its powers and duties; conferring powers and imposing duties on the Governor, President pro tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking; and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1136, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," providing that persons participating in any sport or activity for recreation or exercise shall not be taxed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1797, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second third and fourth class and validating certain taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1897, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Broker License Act of 1929," further regulating deposits and disbursements of funds by brokers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2216, entitled:

An Act amending the act of July 5, 1947 (P. L. 1217), entitled "State Public School Building Authority Act," authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. Madigan. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

Mr. MADIGAN. Mr. President, I submit the report of the Committee of Conference on House Bill No. 315, entitled:

An Act amending the "Milk Sanitation Law," approved July 2, 1935 (P. L. 589), relieving the Secretary of Health and the Advisory Health Board of certain powers and duties; imposing powers and duties on the Secretary of Agriculture; establishing certain fees; * * *.

The PRESIDENT. The report will lie over for printing under the rules.

BILLS INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Hr. RUTH read in place and presented to the Chair Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting associations of firemen.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the driving over fire hose and prescribing penalties.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 16, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:34 o'clock, p. m., Eastern Standard Time, until Wednesday, September 16, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, September 15, 1959

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Father William D. Turner, Pastor of St. Augustine of the Covenant Church, Philadelphia, guest Chaplain, and guest of the lady from Philadelphia, Mrs. Monroe, offered the following prayer:

O God, the fountain of wisdom, whose statues are good and gracious and whose law is truth; we beseech Thee so to guide and bless the Legislature of this state, that it may ordain for our governance only such things as please Thee, to the glory of Thy Name and the welfare of the people.

Almighty God, who hast given us this good land for our heritage; we humbly beseech Thee that we may always prove our selves a people mindful of Thy favour and glad to do Thy will. Bless our land with honourable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, September 14, 1959 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. BRETH and BOWMAN

HOUSE BILL No. 2373.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), making the Capitol Police an independent administrative agency.

Referred to the Committee on Rules.

By Messrs. JENKINS, J. J. MURRAY and AGNEW.

HOUSE BILL No. 2374.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), authorizing tax collectors to deduct commissions from taxes which he has collected.

Referred to the Committee on Rules.

By Messrs. CURWOOD and FRANK.

HOUSE BILL No. 2375.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), prohibiting discrimination between different areas or retail dealers in the selling of liquid fuels at a lower price, after making due allowances.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 699.

An Act amending the act of June 4, 1943 (P. L. 886), entitled as amended "Municipal Employees' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

SENATE BILL No. 835.

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily.

Mr. LOPRESTI IN THE CHAIR

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 56.

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgements.

HOUSE BILL No. 1143.

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364) providing for the corporate name the contents of the articles of incorporation and articles of merger prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings.

HOUSE BILL No. 1144.

An Act amending the "Nonprofit Corporation Law" of May 5, 1933 (P. L. 289) providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

HOUSE BILL No. 1145.

An Act amending the act of June 8, 1911 (P. L. 710) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations * * *" providing for the withdrawal for business and the surrender of the certificate of authority.

HOUSE BILL No. 1228.

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

HOUSE BILL No. 1823.

An Act providing for the creation maintenance and operation of an employees' retirement system in cities of the second class A and imposing certain charges on cities of the second Class A and school districts in cities of the second class A.

HOUSE BILL No. 2031.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) increasing the amount of contracts in which borough officials may have no interest.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence No. 1992.

Amended Senate Bills non-concurred in by Senate No. 379.

REPORTS FROM COMMITTEE

Mr. DEVLIN from the Committee on Judiciary, reported as amended, House Bill No. 1413, entitled:

An Act amending the "Credit Union Law" approved May 26, 1933 (P. L. 1076) further regulating requirements for incorporation, deposit of funds, subjects for investment of funds, real and personal property held for purposes of the credit union and membership in such unions, * * *.

Mr. EILBERG from the Committee on Judiciary, reported as amended, House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48), entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia, to appoint stenographers as commissioners to administer oaths and take depositions," extending provisions of the act to various courts.

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

Mr. STROUP from the Committee on Education, reported as amended, Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Bill No. 2279, entitled:

An Act repealing Sec. 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, * * *," removing prohibitions and procedures relating to profaning the Lord's day, the use of profane language and drunkenness.

Mr. REIDENBACH from the Committee on Education, reported as committed, Senate Bill No. 82, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments by the Superintendent of Public Instruction to certain designated depositories.

Mr. STECKEL from the Committee on Judiciary, reported as committed, Senate Bill No. 114, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

Mr. WILLAREDT from the Committee on Townships, reported as committed, Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 598, entitled:

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

Mr. BALTHASER from the Committee on Townships, reported as committed, Senate Bill No. 713, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" increasing the per diem payments and traveling allowance of delegates to conventions of county associations of township officers.

Mrs. ANDERSON from the Committee on Education, reported as committed, Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employes of school districts.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 32) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution Serial No. 105.

BILLS ON FIRST READING

Persuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2279, entitled:

An Act repealing Sec. 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, * * *," removing prohibitions and procedures relating to profaning the Lord's day, the use of profane language and drunkenness.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments by the Superintendent of Public Instruction to certain designated depositories.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 114, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 713, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" increasing the per diem payments and traveling allowance of delegates to conventions of county associations of township officers.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employees of school districts.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 32) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. LAMB for remainder of week because of illness.

Mrs. Varallo for Mrs. MUNLEY for remainder of week because of illness.

Mrs. Varallo for Mr. CAPANO for the remainder of the week because of death in family.

Mr. Tompkins for Mr. MAGEE for remainder of week.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

HOUSE BILL No. 578.

An Act amending the act of May 3, 1933 (P. L. 242) entitled "Beauty Culture Law" changing eligibility requirements for examination.

HOUSE BILL No. 1177.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and

changing the time within which such notification must be given.

HOUSE BILL No. 1537.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to the keeping open of schools.

HOUSE BILL No. 1577.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicles by dealers in certain cases.

HOUSE BILL No. 2201.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" further regulating obscene exhibitions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1178, entitled

An Act promoting safety by regulating vesels water skiing, aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing duties on the Department of Revenue the Pennsylvania Fish Commision and the Pennsylvania Navigation Commission prescribing penalties making an appropriation from the General Fund to the Watercraft Safety Division Account of the Fish Fund and providing for the reimbursement of the General Fund.

The first to fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 5, page 4, by inserting between lines 16 and 17: "Class 2 Eight dollars (\$8)." "Class 3 Twelve dollars (\$12)."

On the question,

Will the House agree to the amendment?

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 6, page 13, line 6, by striking out "and the Navigation Commission."

On the question,

Will the House agree to the amendment?

The seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 9, page 16, lines 12 to 15 by striking out "such a manner as to disregard" in line 12, all of lines 13 to 15, and inserting "a reckless or negligent manner so as to endanger the life, limb or property of any person."

On the question,

Will the House agree to the amendment?

The tenth to the fourteenth sections inclusive were separately read and agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 15, page 20, line 16, by striking out "Owner's."

Amend Sec. 15, page 21, line 2, by inserting after "require": "an owner of a vessel shall be liable for any injury or damage along with the operator thereof if such vessel is being used or operated with his express or implied consent and knowledge."

On the question,

Will the House agree to the amendment?

The sixteenth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 16, page 21, line 15, by inserting after "Commonwealth": "In making or formulating any rule or regulation affecting the operation of a vessel within waters under the jurisdiction of the Navigation Commission, the commission shall seek the active advice and counsel of the Navigation Commission acting through its executive secretary."

On the question,

Will the House agree to the amendment?

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendments:

Amend Sec. 17, page 22, lines 8 to 15, by striking out "except" in line 8, all of lines 9 to 14, and "boats" in line 15.

Amend Sec. 17, page 22, lines 15 and 16, by striking out "and the navigation commission."

Amend Sec. 17, page 22, lines 16 and 17, by striking out "or the navigation commission."

Amend Sec. 17, page 22, line 19, by striking out "in" and inserting "In."

Amend Sec. 17, page 22, line 20; page 23, line 1, by striking out "or the navigation commission."

Amend Sec. 17, page 23, line 7, by inserting after "witness": "The commission shall appoint any member or employe of the Navigation Commission as an officer for the enforcement of this act upon receipt of a written request for such appointment from the navigation commission."

On the question,

Will the House agree to the amendment?

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendments:

Amend Sec. 18, page 24, lines 4 to 15 by striking out "the" in line 4, and all of lines 5 to 15, and inserting "However, all fines collected for violations on waters under the jurisdiction of the Navigation Commission shall be remitted to the Navigation Commission for use in accordance with subsection (b) hereof."

Amend Sec. 18, page 25, line 3, by inserting after "education": "The fact that the fines are remitted to the Navigation Commission in accordance with the requirements of subsection (a) hereof shall not warrant the commision to refuse or minimize the expenditure of further funds if needed from the receipts of the watercraft safety division account within the area under the jurisdiction of the Navigation Commission."

On the question,
Will the House agree to the amendment?
The nineteenth to twenty-first sections inclusive were separately read and agreed to.

The twenty-second section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendments:

Amend Sec. 22, page 29, lines 1 and 2, by striking out "and the navigation" in line 1, and all of line 2.

Amend Sec. 22, page 29, lines 3 and 4, by striking out "and the navigation commission."

On the question,

Will the House agree to the amendment?

The twenty-third section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 23, page 30, lines 3 to 20, by striking out all of said lines.

On the question,

Will the House agree to the amendment?

The twenty-fourth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 24, page 31, line 1, by striking out "24" and inserting: "23".

On the question,

Will the House agree to the amendment?

The twenty-fifth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend Sec. 25, page 32, line 5, by striking out "25" and inserting: "24".

On the question,

Will the House agree to the amendment?

The twenty-sixth section was read.

On the question,

Will the House agree to the section?

Mr. SHAAF offered the following amendment:

Amend sec. 26, page 33, line 6, by striking out "26" and inserting: "25".

On the question,

Will the House agree to the amendment?

Mr. BELL. Mr. Speaker, the amendments on the floor as proposed are amendments to the Motor Boat Safety bill. This is a bill which will apply to all motor boats in the state of Pennsylvania.

The bill as reported from the Appropriations Committee, after due consideration, recognized the problem that is peculiar to the Delaware River. The Delaware River is a river which has jurisdiction of three states upon its waters. The boundary line between New Jersey and Pennsylvania goes down through the river and we have upon the river the Navigation Commission of the Delaware River. This Navigation Commission has controlled shipping, boating and water-borne vessels upon this river since Colonial times. The Navigation Commission antedates

the Constitution of the United States, and Pennsylvania has jurisdiction over the Delaware River because of a Colonial agreement between the states of New Jersey, Pennsylvania and Delaware. The Navigation Commission has done a splendid job in policing the Delaware River.

The bill as reported from the Appropriations Committee recognized this fact. The amendments as offered this morning seek either to rip out the Navigation Commission's control over boating on the Delaware River of the small craft type or else so hamstringing it that utter confusion will result on that river. We in the Delaware Valley area are familiar with the problems of our great Delaware River and we feel that the Navigation Commission is doing a splendid job and we want to keep the Navigation Commission doing this job on the Delaware River.

The Navigation Commission is a bureau of the Department of Forests and Waters. I have in my possession a telegram whereby the Navigation Commission states that it is strongly in favor of House Bill 1178 without these amendments.

The next point that I hastily gathered from reading the amendments had to do with fees, or the amount of tax on motor boats.

Under the bill as written there is a maximum fee of \$5 per year. Under the amendments as submitted the fee on two classes of boats, and boats are classed by length, would be raised to \$8 a year and \$12 a year respectively. I say that this will cost the Commonwealth of Pennsylvania thousands of dollars by raising the fees. This is because of the Federal Boat Law.

Under the bill 1178, which is authorized by a Federal Act of Congress known as the Bonner Act, a boat which is documented through the United States Custom House cannot be taxed; it is a Federal vessel. The rules and regulations of the Customs Office, Treasury Department, state that any boat of five tons or larger can be documented at no cost to the owner. The Federal authorities take by rule of thumb that a boat of the length of approximately 30 feet can be documented, so if this \$8 to \$12 a year tax is imposed on the larger boats, no tax will be collected from the Delaware Valley, because they will all document, and the occupants of that area know this fact and have said if they are forced to they will document.

Boats under 30 feet in length subject to this \$8 a year tax will not be producing any revenue to the state because under the same Bonner Act, the Federal Act, and under this House Bill 1178, all the boat has to do so it does not pay any tax at all is to go to another state once in 90 days of the season in which it operates.

As I told you, the Delaware River has the boundary line between New Jersey and Pennsylvania snaking down through the middle, following the channel. All a boat has to do to not pay the Pennsylvania tax but to register under New Jersey laws is to cross the state line into New Jersey, and there is no boat on the Delaware River that does not cross into New Jersey at least every time it operates. New Jersey is contemplating a maximum tax of \$10 for three years, and if you, ladies and gentlemen of the House, had a small boat on the Delaware River, would you pay \$15 or \$24 to the state of Pennsylvania when you can cross the Delaware River and get it for \$10?

These fees are too heavy on the boat owners. There are no benefits accruing to the larger boats because the purpose of this bill is not only to have water safety rules in force throughout the Commonwealth but also to build items like launching ramps throughout the Commonwealth. These deep-water boats are already subject to the Coast Guard regulations with respect to water safety. They would not use any launching ramps because you do not pull a 10 to 15-ton boat behind a trailer.

I also question the whole system of graduated fees on the basis of unconstitutionality. We have the provision under our constitution that taxes be uniform. Only recently the income tax amendment passed this House and every Member of this House should realize that taxes have to be uniform, and for someone to tax boats at different prices because of different lengths would be unconstitutional unless there is a direct benefit connected therewith, as you have with trucks. Trucks pay different rates because they have different loads on the highways, but I question the constitutionality of the entire graduated system of taxes on boats according to length with no connection to benefits received.

Ladies and gentlemen, there are further defects in these amendments, and I ask that all of us vote down these amendments.

Mr. SCHAAF. Mr. Speaker, I rise in support of these particular amendments. By way of partial explanation, several weeks ago the Committee on Fisheries brought forth this bill, in Printer's No. 1093, and that particular print was the result of a lot of hard work as a result of the public hearing in this matter and as the result of careful sifting through of the data received from all over the state.

The bill was recommitted to the Appropriations Committee, at which time the bill in its present form, that is the amendments in the present form, 1593 the Printer's No., were inserted and put upon the floor. These are substantive amendments which were put in the Appropriation Committee.

On examining the bill in its present Print, 1593, the Justice Department through Deputy Attorney General Harrington Adams, had reason to believe that the bill was unconstitutional.

The gentleman from Delaware has mentioned, quite truly, that this is based on a Federal Act. We are not authorized to pass this bill, we are obliged to pass this bill if the state of Pennsylvania is to retain control over small boating within its boundaries. By the same token, the bill must be in conformity with the Federal Act. As I said before, the Justice Department is of the opinion that the bill in its present form does not conform with the Federal Act and therefore is not constitutional.

I think in all fairness to the gentleman from Delaware, Mr. Bell, the amendments which were inserted into the bill previously are in the nature of what might be called provisional amendments. I have no quarrel with the fact that the Navigation Commission has existed for a long period of time, but, I do dispute the jurisdiction of the Navigation Commission with respect to small boating. It is essentially concerned with commercial navigation of the Delaware River Basin.

The amendments offered this morning are an effort, towards a suitable compromise. There is no question that a compromise is not a compromise unless it is accepted,

but if the Members here in the House will examine these proposed amendments this morning very carefully, they will see a number of things. Number one, the fact that the fees are restored as in the bill originally, that is, for the larger boats, Class 2 and Class 3 boats, from \$8 to \$12.

My point is this, Mr. Speaker, that the \$8 fee and the \$12 fee are not paid by the average small boat owner. On the contrary they are paid by the large boat owner—a yachtsman if you will. I suggest that the yachtsman, if I may call him that, can well afford to pay the larger fee, and I dispute the gentleman's statement that this will cause the Commonwealth to lose thousands of dollars in money; that is conjecture only. I suggest if the bill is passed in its present form, it will cost the Commonwealth much more money by means of reduced revenue and by means also of earlier administration costs.

As to the matter of fees, they are not taxes, they are license fees and therefore I dispute Mr. Bell's statement concerning uniformity also. You have no different situation than you have with respect to trucks and cars. Certainly a truck, being in a different classification, has to pay a heavier license fee than does the car. We have the same situation here, I see no basis to his argument as to its unconstitutionality.

Let us get down to the meat of it. What have we done in an attempt to satisfy the proponents of the Navigation Commission? We have, number one, assured them that all fines collected within that area will be retained in that area and will be remitted directly to the Navigation Commission.

Number two, and most importantly, the Navigation Commission is assured by the very language of the amendments that the Fish Commission, under whom the overall administration of the Act is vested, cannot minimize or reduce in any way the amount of money which it will spend for the benefit of the Delaware River Basin. By this thought, you should have a situation where it should be agreeable to them; apparently it is not.

The greatest opposition that can come to the bill in its present form is this: You have a duplication of expense, you have two Commissions doing one job. You have no centralized administration, no centralized authority. Having done that you obviously are going to increase the cost of administration. This fact has been verified by correspondence between myself and Mr. Baldwin, the Budget Secretary, and the Governor. The precise figures, again, are only conjectural, but I submit to the Members of the House that these present amendments do two things: Number one, they are based on the hope that these amendments will restore the bill to its original form and, at the same time, number two, gives to the residents of the Delaware River Basin some solace, some satisfaction, some freedom from the fear that they are going to be interfered with unduly by the rest of the state.

Since 1931 the pleasure boating on inland waters has been vested under the jurisdiction of the Fish Commission. It seems only natural if Pennsylvania does have to have the boating law, that the Pennsylvania Fish Commission, acting through a separate boating division, with separate accounts, where money will not be commingled with the fish fund, seems to be the logical successor and the logical body to administer this particular act. I ask very strongly,

that the membership of the House support these amendments.

Mr. BELL. Mr. Speaker, may I interrogate the gentleman from Erie?

The SPEAKER pro tempore. Will the gentleman from Erie permit himself to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, does the gentleman from Erie have a written opinion from anyone in the Attorney General's office concerning the constitutionality of which he spoke?

Mr. SCHAAF. No, I do not, Mr. Speaker.

Mr. BELL. I thank the gentleman, Mr. Speaker.

I disagree with the gentleman from Erie on one thing he said. He made a statement if this bill is not passed, that some control over the boating safety enforcement would be lost by the Pennsylvania Fish Commission. Right now, in our inland waters, the rivers, the lakes, the Fish Commission has the power to enforce motor boat safety under this Act of 1931. There is nothing in the Bonner Act, the Federal Bonner Act which states that if the state of Pennsylvania does not act at this Session the Coast Guard is going to come up into the inland waters and the lakes of Pennsylvania and enforce the safety law. I have correspondence from the Coast Guard which states that they have no such intentions, and neither will they remove Coast Guard protection from the Delaware Valley if this bill is not passed. So, that is not a correct statement of fact.

The Delaware Valley Yachtsmens' League which is comprised of thousands of small boat owners, and they range in length from a rowboat with a putt-putt on the end of it, to boats 30 to 35-40 feet in length. They are opposed to the Fish Commission coming into the Delaware Valley. They do not like the type of enforcement that they have heard about, they do know how the Navigation Commission does enforce it in the Delaware, Valley, they are satisfied with the Department of Forests and Waters and its enforcement in the Delaware Valley, and the Delaware River Yachtsmens' League, the people who use this river, are opposed to the Fish Commission coming in there.

I am not going to speak any longer. I am going to ask for a roll call vote on these amendments, and ask that everyone vote no.

Mr. CURWOOD. Mr. Speaker, being Chairman of this Committee and putting about two or three months of hard work in on it, I think I have a right to say a little bit on it.

The gentleman from Delaware, Mr. Bell, has a very good cause for his argument about the Philadelphia area, which I wholeheartedly agree with. I do not think that Philadelphia should be hurt and, under this bill, I do not think Philadelphia will be hurt, because I have a heck of a lot of friends in Philadelphia on our side of the House, and you can rest assured they are going to be taken care of.

I feel this way, under the law that we have right now we set up in there a system that comes under the Fish Commission. For this reason we cannot afford to set up a complete boating industry for Mr. Bell or any other Member of the House. We, first of all, have got to put it under the Fish Commission to start out. I point out, that under the first law, where they change this and

put in one director for fish and boating both. What we would like to have is a commissioner for fish and a commissioner for boating under the Fish Commission, with this Commissioner for boating devoting all his time to boating. Under the present amendments here we give Philadelphia the right to collect their own fines; we take care of their enforcement; we pay the bill out of this boating fund, and under the Navigation Commission Authority down there, under Forests and Waters with deputies appointed by the Navigation Commission around Philadelphia, O. K'd by the Fish Commission, which would very well take care of the Philadelphia area.

As far as Mr. Bell, the gentleman from Delaware saying they are going to take these boats over to New Jersey and dock them over there, that is all right; maybe we have not got enough room down there in the harbor for all of them. The Pennsylvania people have a very nice time down there. I feel very strongly that anybody with a yacht that is worth \$40,000 or \$50,000 can well afford to pay \$12. Some of the people give me the argument that it should be a \$5 flat fee across the board. Well, after all, I was sent down here by a group of people to represent Luzerne County who only have these putt-putts, like my colleague says, and these putt-putts are not owned by a fellow who can afford to belong to a yachting club, they belong to the little boy who might have built it for three or four dollars. It has a scow on the end of it, he might get a little coal in the end of it, he has a little putt-putt in the back of it, he does not have a five dollar bill, and we are really hurting the fellow to charge him three dollars. So I simply stand behind the \$8 to \$12, the \$15 fee, if I have a large boat, and I think it definitely should be that. I have a larger boat and I will be glad to pay for mine.

Another thing I feel about this situation: I am told it does not mean anything. The Navigation Commission, no they do not come back. The Coast Guard is not going to go back in Luzerne County on our lakes, definitely not going to come back. The Coast Guard only goes in tidal waters. Anybody knows that. We do not have to be told that; if we are Legislators we should know that much. The trouble we are having, we have little boys getting killed. There was a lady killed right near my home, within a mile, this summer, by not having regulations. This one littel girl was killed in this way. On this particular lake on South Pond, we call it back there, there was a stump or a piece of concrete under the water. You could not see it. This boat hit it and the motor came up and killed the girl.

That might not make sense to you, but here is the point: Under this regulation as it is now in the boating bill we will get out and mark that piece of concrete. We will do something about it. We will place restrictions on little lakes that you can only have a one horse or two horse power boat. My colleague, Mr. Wescott, is on my neck every day about a 5½, he only wants 7½ on one lake. Every session he entered his one lake, and the first thing he will have all of his lakes under control. I appreciate that the man is fighting for what he thinks is right.

Under this bill we will control all the lakes of Pennsylvania. If it is a three horsepower lake, the Fish Commission has the right to go in and say, we only want a

the right way to do it. We would have one heck of a time trying to pass a law for every lake in the state of Pennsylvania, now wouldn't we? Let's be honest about it.

For goodness sakes, I hope my colleague, Mr. Bell, can see just a little bit farther than Philadelphia and his forty-foot yacht. I mean, I think we ought to see the other guy's troubles. I mean, let's all put our problems together, not selfishly, but unanimously behind something.

When this bill came out of the Appropriations Committee they ruined the bill. I looked at the bill and after three months of hard work I wondered what I did to it. I wondered what my Committee did. We sat there day after day going over it. These amendments will put our bill back for all the people of Pennsylvania, and God willing, for Philadelphia along with it. I feel that is the way it should be and I hope everybody votes for these amendments.

Mr. BELL. May I interrogate the gentleman, Mr. Curwood?

The SPEAKER pro tempore. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. Yes, sir.

Mr. BELL. Would my friend, Mr. Curwood, advise the House whether he is familiar with the Act of 1931 which set up licensing of motor boats in Pennsylvania?

Mr. CURWOOD. My friend, Mr. Bell, I will have to answer you this way. I do not remember anytime we licensed motor boats in the state of Pennsylvania.

Mr. BELL. Did I hear the gentleman correctly then that motor boats are licensed in Pennsylvania?

Mr. CURWOOD. Motor boats are not licensed in Pennsylvania.

Mr. BELL. Are the motors licensed?

Mr. CURWOOD. Well, yes, we license the motor but in case I have five boats and I only have one motor, I only buy one license and I can put the one motor on all five boats, but, under the present law, if I have five boats and put that motor on each boat over a period of a year, I must buy five licenses.

Mr. BELL. Well, you do admit that when a person is running a boat on the inland lake or on the inland rivers of Pennsylvania, he has to have a license plate from Pennsylvania and he has to pay a tax on that license?

In the same Act, Mr. Curwood, are you familiar that this Legislature gave the present Fish Commission the power to regulate the operation of motor boats so that we would not have these horrible motor boat accidents on the inland lakes and the inland rivers of Pennsylvania?

Mr. CURWOOD. You mean under the 1931 Act?

Mr. BELL. Yes, sir.

Mr. CURWOOD. The 1931 Act does set up the Fish Code which sets up that a motor boat must be so and so and so forth and so far from swimmers, boaters, and so on like that, but it does not regulate 75 horsepower boats on a lake where it should only have five horse power boats.

Mr. BELL. But it does give the Fish Commission power to issue its regulations under that Act which regulates motor boats so that they would be operated in a safe and sane manner? Am I not correct?

Mr. CURWOOD. I do not think you are correct. I do not think there are enough teeth in the bill under the present code. No.

Mr. BELL. But you do admit that the Fish Commission

does have the power to regulate the operating of motor vehicles by regulation so that they would be operated in a safe and sane manner?

Mr. CURWOOD. Yes.

Mr. BELL. And they are doing a lousy job of it.

Mr. CURWOOD. Do you want me to answer that too?

Mr. BELL. Well, you can or not, but you already said about these horrible accidents up in the inland lakes and if the Fish Commission has the power to regulate the safe and sane operation of motor boats on those lakes, whose responsibility is it?

Mr. CURWOOD. They do have the power, Mr. Bell, to regulate a lake. For example, if a child gets out there or a grown person—I think a child can run these boats better than grown people as far as I am concerned because I do not know too much about them, but I think they should have the power. This bill, which we are presently talking about, has the power to give the Fish Commission the power and to make certain limits on certain lakes which I think is a big step in the right direction.

Mr. BELL. Thank you, Mr. Curwood.

The SPEAKER pro tempore. The Chair would suggest that the interrogation be conducted through the Chair. Furthermore that the interrogation should be limited to the amendments which are under consideration at the present time.

Mr. BELL. Thank you, Mr. Speaker.

I wanted to bring out the fact that the Fish Commission under the Act of 1931 has the power to control the operation of motor boats upon the lakes and waters inside Pennsylvania and can force its regulations concerning safe and sane operation.

Mr. CURWOOD. Mr. Speaker, under the Act of 1931 that my colleague was talking about, I do not think that has all that he is trying to put into this particular situation. It does have certain rules and regulations but it does not put any teeth in it, including fines and everything else. I feel that in 1931, this is 1959, 28 years later, at long last we are trying to amend it today and that these amendments are going to benefit it. I do not say it is a perfect bill. I cannot say it is a perfect bill but it is something that you start with from infancy and you build up as you go along.

I said this. Let us get a platform, a foundation, for a good bill. Do not let us try to do it all at one time. Let us get a good foundation and two years from now when you fellows are here, and I hope you will all be here or most of you we can do a job, change it and amend it the way it should be. We cannot do this over night. I ask you to go along with these amendments.

Mr. BRETH. Mr. Speaker, a word or two of clarification is necessary here. This particular water safety bill is the result of the Bonner bill. Pennsylvania should pass some sort of boating bill at this Session.

The Committee over a period of months and with the cooperation and help of the sponsors of this bill have tried to be fair in every way. The Committee realizes that there is a specific situation in the Delaware River basin or tidewaters, rather, as the Chairman just told you, is not a perfect bill; it is subject to amendment and it is more or less a skeleton upon which meat and muscle can be placed.

I want to point this out, that in recognizing the facts that the Delaware tidewaters are specific problems, the Committee agreed to the amendments which were put in

by the Appropriations Committee. Most of us here in Pennsylvania believe there should be one boating law. However, there is no experience in the state or no administration, knowledge or background to set up a body as such, where the body is independent of the Fish Commission, Forests and Waters or anything else.

However, to expedite this problem you will note, that a Resolution was passed yesterday, a Joint State Government Resolution, which provides for a Joint State Government study of the entire boating question. That Commission will report to the next session of the Legislature and make its recommendations which we believe will be satisfactory to all.

These amendments are good amendments because they place the bill in the right perspective. Under these amendments that were put in by the Appropriations Committee, there is a great deal of dissatisfaction throughout the state. We hope to save antonymy you might say, for the Delaware River tidewaters and we hope to do as good a job as possible with the bill when we finish.

I would ask the Members of this House to O.K. these amendments, to vote for them and then study the bill after it has been finally amended and get it in the right perspective.

Mr. SCHAAF. Mr. Speaker, I want the record to show quite clearly, quite categorically, that I was advised by two Attorneys General that the bill in its present form might well be unconstitutional, so there is no question on that, and I refer to the interrogation of the gentleman from Delaware.

Secondly, I want to clear up one misconception. The bill in its original form put jurisdiction for the administration of the act in the Fish Commission. The amendments did not, and I emphasize, did not transfer administrative responsibility to the Navigation Commission. It did in part, so that as affects the Delaware River beach the jurisdiction was changed by the last amendment into the Navigation Commission.

These amendments which are under consideration today do two things. They take back a small portion of the responsibility which was taken from the Fish Commission and put in the Navigation Commission. But it gives to the Navigation Commission, No. 1, the right to be consulted on any and all regulations which affect that area, and No. 2, it gives the Navigation Commission two things in respect to fees. The fines which are collected in that particular area and a guaranteed fair return on the fees which are collected in that area.

I do not want to confuse any Member, particularly the Members from the Delaware basin on this side of the House, therefore, at this time I want to move to lay these amendments and the bill itself upon the table.

BILL AND AMENDMENTS LAID ON TABLE

Mr. SCHAAF. Mr. Speaker, I move that the bill together with the amendments be laid upon the table.

The motion was agreed to.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, for the information of the House, the Republican Membership has asked for a short caucus. We are going to work until 1:30, or possibly a quarter of two, not later than that period of time, then break for lunch. They will announce their time for caucus.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Lodge No. 173, Williamsport, Pennsylvania, B.P.O.E.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Trooper Stephen R. Gyurke.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: West Penn Power Company.

RESOLUTIONS

Mr. McCANN asked and obtained unanimous consent for the resolutions reported from the Committee on Rules to be considered.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 22, 1959.

The Grand Lodge of the Benevolent and Protective Order of Elks, comprising more than eighteen hundred and sixty-five lodges, and including more than one and three-quarter million members throughout the United States, conduct yearly contests for the subordinate lodges presenting the best programs for Elks National Youth Day on May 1st and Flag Day Ceremonies on June 14th.

Lodge No. 173, Williamsport, Pennsylvania, attained national honors during May and June of this year in their Americanization program by winning second place in national competition with its May Day program and third place in national competition with its Flag Day program.

On May 1st, fifteen students were sent to the May Day program in Harrisburg, Pennsylvania, sponsored by the Pennsylvania Elks State Association, where they toured the Capitol, danced at the Farm Show Building, and heard prominent State officials at the Forum. Twenty-seven additional students placed in positions in all sections of the county and city governments and social agencies in the County of Lycoming and the city of Williamsport assumed the duties of their sponsors for the day. Sponsors and students were entertained at a dinner where John H. Bennett, Past State President, Pennsylvania Elks State Association, Renovo, Pennsylvania, was speaker. Concluding the day was a teen-age dance in the Elks auditorium for all senior high school students. All students participating in this program were chosen by school authorities from the nine area high schools in the territorial jurisdiction of Lodge No. 173, i. e. Williamsport, Montoursville, Muncy, Canton, Hughesville, Montgomery, St. Marys and St. Joseph.

Two hundred fifty Boy Scouts distributed twenty-five thousand miniature flags purchased by the Williamsport Lodge and twenty-five thousand booklets on the proper display of the flag secured through the cooperation of the Armed Forces to every church service in Lycoming County, all county hospitals, Lysox View, and clubs in the City of Williamsport. Flag Day services were conducted in the Elks Auditorium with the assistance of the Elks-Repass Band and the Elks Male Chorus and televised over Station WBRE and broadcast in its entirety by radio stations WRAK, WWPA, WMPT and WLYC on June 14th.

For the past three consecutive years, Williamsport Lodge has placed first, second and third in each May Day and Flag Day national competition, and last year received the George Washington Medal of Honor from the Freedoms Foundation at Valley Forge, Pennsylvania, for that May Day program; therefore be it:

Resolved, That the House of Representatives commend Williamsport Lodge No. 173 Benevolent and Protective Order of Elks for its patriotic endeavors and success in the Americanization program; and be it further

Resolved, That a copy of this resolution be sent to Williamsport Lodge No. 172, Williamsport, Pennsylvania.

The resolution was read, considered and adopted as follows:

In the House of Representatives May 5, 1959.

On August 24, 1958, Trooper Stephen R. Gyurke, Pennsylvania State Police Force died in the line of duty while serving with Troop B-2 (Turnpike Division) of the Somerset sub station.

Born on July 3, 1929 at Nettleton, Cambria County, Pennsylvania, he was the son of Michael and Julia Kozar Gyurke. After attending the public schools of Blacklick Township, Cambria County, he enlisted in the U. S. Army in 1948 where he rose to the rank of Sergeant.

Receiving an honorable discharge from the service in 1952, he entered the Pennsylvania State Police Force as a student recruit on October 4, 1954. After completing his basic course of study he was promoted to private and assigned to duty at Troop E-1, Erie, Pennsylvania, and transferred to Troop B-2 (Turnpike division) in December, 1955.

Private Gyurke by his devotion to duty, his integrity, and his ability exemplified the ideal Trooper. In the short span of his life he conscientiously and unselfishly served his state, his nation and his God.

While this resolution is but a small tribute to one who contributed so much to his fellowmen, we hope that the memory of Trooper Gyurke will serve as an inspiration to his fellow members of the Pennsylvania State Police Force; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pays tribute to Trooper Stephen R. Gyurke, and expresses its sincere condolences to his loved ones upon his death; and be it further

Resolved, That copies of this resolution be transmitted to his wife Margaret Hruska Gyurke, his mother Mrs. Julia Gyurke, his brother Trooper William P. Gyurke and Commissioner Frank G. McCartney.

This resolution was read, considered and adopted as follows:

In the House of Representatives, September 9, 1959

On Thursday, September 3, 1959 the West Penn Power Company which supplies power to a large area in the western part of the State made a great advancement when they dedicated a new substation in Reesedale, Armstrong County.

The Company spent 49 million dollars in the erection of this giant facility which is to be known as the Armstrong Station. The expenditure of such a large sum of money by a private utility certainly evidences the faith that the company has in the growth of our Nation and our State.

For three days the company had an open house at the site of the substation and the hundreds of people who toured the area were thrilled by the magnitude of the operation. The residents of the vast area supplied by West Penn are thankful for the foresight shown by the company since the new operation will undoubtedly aid the economy of the region; therefore be it

Resolved, That the House of Representatives commend the West Penn Power Company of Greensburg, Pennsylvania for the faith they have shown in the ever growing economy of our State and for the efforts they have made toward making our Commonwealth a better place in which to live and work; and be it further

Resolved, That a copy of this resolution be sent to the President of the West Penn Power Company at Greensburg and to the local district manager at Reesedale, Armstrong County.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the the Hall of the House a former Member of this House, the gentleman from Allegheny, Mr. Verona. Will the gentleman rise in his place?

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BRETH asked and obtained permission for the Committee on Game and Conservation to meet during the session of the House.

Mr. MULDOWNEY asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1255, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes to provide the least number of men that may be employed on locomotive trains and to provide a penalty for the violation thereof and the enforcement thereof by the Department of Labor and Industry.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Railroads and Railways. The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations. The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2044, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents and transactions providing for determination of deficiencies redetermination reviews and appeals therefrom imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2078, entitled:

An Act amending the "Public School Code of 1949" providing a minimum wage for employes of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 221, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing school directors to charge tuition fees for adult extension education and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 1 (Sec. 1001), page 3, line 9, by inserting after "of" "1."

Amend Sec. 1 (Sec. 1001), page 3, line 10, by inserting after "property" "(2) acquiring a motor vehicle or vehicles."

Amend Sec. 1 (Sec. 1001), page 3, line 10, by inserting after "or" "(3)."

Amend Sec. 1 (Sec. 1001), page 3, line 10, by striking out "of a" and inserting "where the."

Amend Sec. 1 (Sec. 1001), page 3, line 11, inserting after "value" "of such equipment is."

Amend Sec. 1 (Sec. 1001), page 3, lines 11 and 12, by striking out "to the consumer or user thereof OR MOTOR VEHICLES."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 684, Printer's No. 745 and

Senate Bill No. 868, Printer's No. 1015

were passed over at the request of the SPEAKER pro tempore.

BILL PASSED OVER

Mr. McCANN. Mr. Speaker, the Republican Members of the House feel they should caucus on House Bill 2355, but just so they know as they go to this caucus, the Legislative Reference Bureau in preparing amendments to House Bill 2355 stated that this is a bill dealing with

disabled veterans and that all the items in the proposed bill are the same fees that exist now in the respective counties.

The new material is on page 6, dealing with veterans, pertaining to their discharge papers and the certification of those papers. This is a piece of legislation in preparation for the Korean bonus.

Since the Republican Members of the House have asked that they caucus on the bill, Mr. Speaker, I ask that it be passed over temporarily.

BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1652 on page 5 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1652, entitled:

An Act amending the "Employment Agency Law" approved July 31, 1941 (P. L. 616), changing definitions licensing criteria and licensing suspension and revocation procedures; reducing fees for representative licenses changing the authority of employment agents with regard to charging fees and utilizing certain methods of doing business providing for minimum fees in certain types of engagements clarifying the applicability of other laws to employment agents changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 1652 was amended last week by amendments offered by the gentleman from Philadelphia, Mr. Perry, in which the bill before the House at that date was amended to exclude certain types of agencies such as we discussed in the debate that day, Man Power and other organizations, in which those organizations furnish the individuals to the various concerns. The present bill, 1652, contains those amendments as offered that day and supported unanimously by the Republican Members of the House and the Philadelphia Members on the Democratic side.

Mr. Speaker, I ask that everyone vote favorably on the bill as amended, House Bill No. 1652, Printer's No. 1633.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, this bill has been on the calendar quite a long while, and there are great misgivings in our caucus here as to the real necessity for the bill. We would like to have the gentleman state what evils are presently existing in the employment agency situation with respect to the way it is being run, and in short to give us convincing reason why we should support this bill and license these agencies. We have not so far in our caucus been convinced of the necessity for the bill.

Mr. McCANN. Mr. Speaker, first I bring to the gentleman's attention that this is an amendment to the employment agency law of 1941.

House Bill 1652 attempts to rectify or tighten up some of the situations in the licensing of employment agencies in the Commonwealth. The amendments offered the other day by the gentleman from Philadelphia excluded certain

types of not necessarily employment agencies, but agencies, which furnish employes to do a specific job, and at that time the Republican leadership informed the House that House Bill 1652 with the amendments would be satisfactory and they so supported the amendments.

There have been numerous cases in the Commonwealth over the years in which some of the employment agencies have been in business and then out of business very quickly, and failed to operate in conformity with the employment agency law. After they are gone it is rather difficult to do anything about correcting the situation. This law is not a law which is a difficult law to administer. It was passed during the 1941 administration and then amended once or twice since then in trying to correct the situation, and again now, but in an effort not to hinder or hurt any of those bona fide employment agencies that now operate and have been licensed in this Commonwealth. I believe this piece of legislation is a very sound piece of legislation in conjunction with the employment agency law.

Mr. FULMER. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. FULMER. Mr. Speaker, do I understand if this bill becomes law that in order for a person to set up an employment agency he or she must serve one year apprenticeship under an acknowledged or licensed employment agency?

Mr. McCANN. I believe that is correct. I am not sure it is one year unless I check that section.

Mr. FULMER. One year or a period of time. Is it true, Mr. Speaker, that presently some of these employment agencies are no more than one-room or hole-in-the-wall types of operations?

Mr. McCANN. I am sure that description would be correct of some, but certainly would not include all.

Mr. FULMER. Mr. Speaker, is it also true that a person could possibly attend a college or university, majoring in business administration, with probably a minor, or a doctorate, even, in personnel management, and that person would have to spend one year as an apprentice in one of these employment agencies?

Mr. McCANN. I believe that would be correct. He would have to render a period of time prior to being licensed. I believe that is correct.

Mr. FULMER. Thank you, Mr. Speaker.

Mr. FULMER. Mr. Speaker, during the past two years I have had the opportunity to visit in many of these employment agencies. I am sure that you, as was I, would be dismayed and surprised at how these agencies operate. As a matter of fact, in none of the agencies which I visited were they prepared to offer the services of personnel testing. In these agencies, for example, I was surprised when I asked how they kept their records. There were very few records kept in many of them. The data that was held there was stacked up on large piles and those who came in latest received the first consideration.

I think it is a good idea to have good legislation for these employment agencies, but I cannot see any reason why people who get their professional training at a college or university should be subjected to working for one

year in one of these employment agencies. In view of the fact that this is in the bill we have, I would suggest that we vote against this bill.

Mr. McCANN. Mr. Speaker, I can understand the situation as presented by the gentleman. I believe it carries some merit in that if any individual came out of a college or university into this field, and operated as an employment agency, if they were of the same caliber and operating in the same way, it still would not improve the situation any.

I, of course, can say that this bill was on the calendar a considerable number of legislative days prior to the amendments offered by Mr. Perry, which are in the bill, and at no time was there any indication of anyone offering any amendments pertaining to this section or part of the bill. I believe it does carry some merit as the bill is now written. If this period of time is too long, I suggest the bill could be changed or amended, but no offer had been made to correct the situation. I believe the period of one year does have some merit; if it does not, the time should be designated, so the situation the gentleman outlined as to some of the so-called employment agencies he visited personally would be corrected.

Mr. A. M. LEE. Mr. Speaker, will the Majority Leader permit himself to be interrogated briefly?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. M. LEE. Does the gentleman have a copy of the bill?

Mr. McCANN. I will get it right away.

Mr. A. M. LEE. On page 26, Mr. Speaker, starting on line 13, the bill reads: Any person so doing or any person violating any provision of this act or [knowingly] aiding and abetting in its violation for which no other specific penalty is provided shall upon summary conviction thereof be sentenced to pay a fine of not less than . . . fifty (\$50.00) dollars nor more than . . . two hundred (\$200.00) . . ." The point I bring up, Mr. Speaker, is that the word "knowingly" has been dropped out of this statute. Is that correct, Mr. Speaker?

Mr. McCANN. That is correct, sir, on line 14.

Mr. A. M. LEE. Then it is possible that an employee of one of these employment agencies, acting under the direction of the proprietor thereof and not knowingly violating the law, but in fact violating the law, may be subject to prosecution under this act?

Mr. McCANN. Is that not true under most legislation in which the agency licensed would have employes, the party involved would be violating a law, let us say, the individuals employed by that party are directed to do something in carrying out the orders of the head of the firm, they aid or abet the violation of the law. Has it not always been the situation in which when anyone does this particular thing that consideration is given to whether he was directed to do something or whether he does it of his own will or ideas?

Mr. A. M. LEE. I would only say, Mr. Speaker, in reply to the gentleman's answer, that the word "knowingly" is in the present law and this bill purports to remove it. I think it is a bad thing, and for that reason, among others, I urge the Members to vote against this bill.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Philadelphia?

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Philadelphia inform me, in connection with the section he speaks of, which is really section 29 of the proposed act, if he offered to amend or correct the situation at any time?

Mr. A. M. LEE. No, Mr. Speaker, I did not.

Mr. McCANN. I thank the gentleman very kindly.

Mr. FULMER. I desire to interrogate the Majority Leader, please.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be further interrogated??

Mr. McCANN. I shall, Mr. Speaker.

Mr. FULMER. Mr. Speaker, inasmuch as one of the requirements, if this bill becomes law, is that it will be necessary to serve an internship, so to speak, or a waiting period, under a licensed employment agency, I would like to ask the Majority Leader if there is any provision in this bill which will necessitate the state approving any of these employment agencies wherein this internship can be had?

Mr. McCANN. That would be very easy to answer—those that would be fully licensed.

Mr. FULMER. Therefore, am I to understand, Mr. Speaker, that if an employment agency is licensed in the Commonwealth of Pennsylvania and operating in a haphazard manner they could provide the internship for anybody who wants to come to that licensed employe agency?

Mr. McCANN. That would be a rather difficult situation, in which, if you operated an employment agency and you were a licensed employment agency, and I served a period of time in your agency and you operated it in a slipshod manner, that is nobody's fault but your own and the licensing agency would attempt to close you as soon as it could.

Mr. FULMER. Mr. Speaker, assuming this is correct, am I to assume then that the state is not going to give any protection to individuals? Supposing he did not know about the ethics of the operation where he served his internship, you say they could still provide this training?

Mr. McCANN. Would the gentleman repeat his question about the state?

Mr. FULMER. Since they are licensed to open as an employment agency and they provide this internship, you say when they are giving people the impression that just because they have a license they are a legitimate operating organization?

Mr. McCANN. Mr. Speaker, I always assume, and I am sure the gentleman also does, that properly licensed employment agencies operate in a proper manner and should at all times. Those who do not operate in that manner and are licensed, of course, the inspectors attempt in every way possible to see that they do operate properly or to have their licenses removed. You can assume the agency that is licensed in a manner that is not in the highest ethical standards and if I serve my period of time in that agency that was licensed I certainly would have served in a proper licensed establishment and would have received some basic training during the time with the employment agency.

Mr. FULMER. I thank the gentleman.

Mr. AUKER. Mr. Speaker, I would like to interrogate

the Majority Leader in the way of a parliamentary inquiry.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman, as I understand it, bills that are signed with no effective date have to become effective September 1. Is that correct?

Mr. McCANN. I think you will have no difficulty understanding that Code. You have been here a great number of years.

Mr. AUKER. I am frank to say I am a little hazy on it and I just wanted to make sure I was correct.

Mr. McCANN. The gentleman is correct in his statement that Acts which do not have an effective date normally become law when signed by the Governor, I believe the first day of September following a period of time. At the present time and in 1955 and in 1953, I believe are the correct years, when the Legislature was in session following the September date, Acts which did not have effective dates and which were sent to the Governor and the Governor signed those Acts into law—I believe I am correct on the years that the House and Senate was in session past those dates—and the effective date is, I believe, September 1.

Mr. AUKER. Then in this case, since this act carries no effective date, it would not become effective until September 1, 1960?

Mr. McCANN. I believe the situation does not pertain to September 1. Under the old administrative act, and some of your attorneys can advise you very well on this, when the House and Senate were in session two or three months, then the Acts became effective in September. I believe the Acts normally are effective immediately or at that period of time.

Mr. AUKER. I am still confused. Maybe I can get it straightened out sometime before this bill is passed, I hope, but I think it should be fairly understood by all the Members of the House before we pass anymore legislation, unless the Acts carry an effective date. I think this is a very important matter, when these acts are that are passed are going to become effective.

Mr. BELL. Mr. Speaker, if the gentleman from Blair will yield, I will give him the effective date of statutes.

Under existing law, when the session extends past this date in September, which was mentioned by Mr. McCann, the Acts that are then passed become effective when signed by the Governor, unless there is an otherwise stated date in the Act of the Legislature. When Acts are passed prior to September and there is no date set, then they become effective on that date in September and I think it is September 1, but if bills are passed like today, signed by the Governor today, with no effective date set in the statute, it is effective as of the date signed by the Governor.

Mr. AUKER. Mr. Speaker, I thank the gentleman from Delaware. I assume that is correct and that is one of the reasons why I brought up the point:

Here, for instance, we have legislation that affects a fairly large industry in the state. If the bill becomes law they have no way of getting a copy of the act for possibly two or three months after it is finally passed. They do not know what they are working under, and yet they would

be subject to arrest and fine. Certainly it seems to me if all these acts are going to become effective at once, where those affected are subject to criminal prosecution there ought to be an effective date in the act to let these people have a chance to know the change in the law and what they are up against. I do not think it is fair to pass this kind of legislation and put these people up against an Act that becomes effective at once, and make them amenable to penal offences fines and court trials without knowing whether or not they are violating the law. They have no way of knowing. They cannot get the act in print before two or three months. I think this bill ought to be amended to carry an effective date of ninety days after the Governor signs it, or it becomes law, or something of that sort to give these people a chance. It is not fair in my mind. I will have to vote against the bill unless the effective date is changed. I just cannot see the fairness of this kind of legislation. It is just not fair.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Anderson,	Frascella,	Machmer,	Renwick,
Arlene,	Galley,	Maxwell,	Riley,
Balthaser,	Gallagher,	Meholchick,	Rovansek.
Branca,	Garlock,	Mills,	Rudisill,
Breth,	Hamilton,	Monroe,	Sakulsky,
Burns,	Heavey,	Muldowney,	Scarcelli,
Capitolo,	Holt,	Mullen,	Schaaf,
Cianfrani,	Irviss,	Murphy, A. J., Jr	Schuster,
Cioffi,	Jenkins,	Murray, J. J.,	Schwartz,
Clarke,	Jim,	Musto,	Sherman,
Comer,	Jones, F. R.,	Needham,	Shugnik,
Crossin,	Kamyk,	Nelson,	Silverman,
Curwood,	Kornick,	O'Donnell, J. A.,	Snider,
Devlin,	Kovolenko,	O'Donnell, J. P.	Stone,
Dougherty,	Leonard,	O'Neil,	Sullivan,
Eilberg,	Limper,	Parlante,	Trusio,
Farabaugh,	Lopresti,	Pashley,	Varallo,
Fillo,	Luigard,	Perry, H. H.,	Wheeler,
Fineman,	Lutty,	Perry, P. E.,	Yatron,
Floyd,	McCormack,	Petrosky,	Yetter,
Flynn,	McDonald,	Polaski,	Andrews,
Foerster,	McKeever,	Polen,	Speaker
Frank,	McLaughlin,	Prendergast,	

NAYS—95

Agnew,	Gelfand,	Korns,	Royer,
Ashton,	George,	Kubitsky,	Seltzer,
Auker,	Gibb,	Lee, A. M.,	Snare,
Barton,	Goldstein,	Lee, K. B.,	Steckel,
Bell,	Goodrich,	Lippincott,	Stewart,
Blair,	Gramlich,	McCandless,	Stoner,
Boris,	Guthrie,	McCann,	Strausser,
Bower,	Heffner,	McInroy,	Stroup,
Brenninger,	Helm,	Mahan,	Tompkins,
Brown,	Henzel,	Markley,	Ujobai,
Buchanan,	Hocker,	Merry,	Varnier,
Davis,	Holliday,	Miller, B. Z.,	Wall,
Dengler,	Horst,	Miller, H. G.,	Walsh,
Dennison,	Isaacs,	Murphy, P. J.,	Wargo,
Donahue,	Johnson, A. W.,	Murray, H. P.,	Weidner,
Donaldson,	Johnson, R.,	Murray, P. G.,	Williams, A. D., Jr.
Down,	Jones, T. H. W.,	Naugle,	Williams, E. S.,
Edwards,	Jump,	O'Dell,	Willard,
Eshback,	Kee,	Odorisio,	Willaredt,
Eshleman,	Keiser,	Ogilvie,	Wood,
Ewing,	Kernaghan,	Price,	Worley,
Fetterolf,	Kessler,	Pursley,	Wynd,
Fox,	Knecht,	Reidenbach,	Zimmerman,
Fulmer,	Kooker,	Rigby,	

NOT VOTING—23

Boles,	Lamb,	Reibman,	Verona,
Bonner,	Light,	Stank,	Welsh,
Bowman,	Magee,	Stevens,	Wescott,
Capano,	Mihm,	Stimmel,	Whittaker,
Cooper,	Moran,	Taylor,	Wilt,
Dennis,	Munley,	Thompson,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEE

Mr. BRETH from the Committee on Game and Conservation, reported as amended, House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

Mr. AGNEW from the Committee on Judiciary, reported as amended, Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253), entitled "An Act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

Mr. GELFAND from the Committee on Banking and Building and Loan Associations, reported as amended, Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

Mr. COMER from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 429, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptances and bills of exchange.

Mr. SCHWARTZ from the Committee on Judiciary, reported as committed, Senate Bill No. 650, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

BILL RE-REFERRED

Mr. SCHWARTZ from the Committee on State Government, returned with the recommendation that it be referred to the Committee on Appropriations, House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House; providing for the repair of the Pechin House; authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society; and making an appropriation.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Appropriations.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 429, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptances and bills of exchange.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 650, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I am going to ask for a recess of one hour. The Democrat Members will not hold a caucus. The recess will be for the purpose of lunch. We will come back here in one hour and start in again cleaning up the calendar.

Mr. A. W. JOHNSON. Mr. Speaker, during this one hour, on the Republican side we will have lunch for one-half hour, and would like to have a caucus for one-half hour to clean up bills on the calendar on which we have not previously caucused. There are eight education bills which are going to be made a special order of business which we want to caucus on in our caucus, so it is very important that Republicans attend the caucus one-half hour from now.

BILLS INTRODUCED AND REFERRED

By Messrs. PETROSKY and SAKULSKY.

HOUSE BILL No. 2376.

An Act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood or high water of August, 1955; ***," extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out

of said appropriations and extending the time that appropriations are available.

Referred to the Committee on Rules.

By Messrs. REIDENBACH and NEEDHAM.

HOUSE BILL No. 2377.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS.

HOUSE BILL No. 2378.

An Act creating the Pennsylvania Off-street Parking Insurance Authority as a body corporate and politic, with powers to insure loans given by banks and certain other lending institutions to municipalities or nonprofit corporations or organizations for the purpose of acquiring, constructing, improving and maintaining off-street parking projects; * and making an appropriation.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS.

HOUSE BILL No. 2379.

An Act creating the Pennsylvania Recreational Insurance Authority as a body corporate and politic with powers to insure loans given by banks and certain other lending institutions to non-profit community corporations or organizations for the purpose of acquiring, constructing, improving and maintaining recreational projects, authorizing and regulating the issuance of bonds; providing for the payment of the bonds and rights of bondholders; prescribing powers and duties of the authority; providing that no debt of the Commonwealth shall be incurred in the exercise of powers granted by this act; and making an appropriation.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 187.

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

Referred to the Committee on Judiciary.

SENATE BILL No. 233.

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of shareholders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of

parent wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by *Block v Baldwin Locomotive Works* 75 D & C 24 Marks v *The Autocar Co.* 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

Referred to the Committee on Rules.

SENATE BILL No. 735.

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

Referred to the Committee on Judiciary.

SENATE BILL No. 737.

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" defining conveyance.

Referred to the Committee on Judiciary.

SENATE BILL No. 747.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and "Office Trailer" and including certain persons buying selling, exchanging financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

Referred to the Committee on Highways.

SENATE BILL No. 748.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

Referred to the Committee on Highways.

SENATE BILL No. 749.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

Referred to the Committee on Highways.

SENATE BILL No. 750.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for mobile homes house trailers and office trailers.

Referred to the Committee on Highways.

SENATE BILL No. 751.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

Referred to the Committee on Highways.

SENATE BILL No. 897.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

Referred to the Committee on Cities—Counties Second and Second Class A.

SENATE BILL No. 1037.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

Referred to the Committee on Rules.

SENATE BILL No. 1050.

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

Referred to the Committee on Rules.

SENATE BILL No. 1052.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provision which makes worldly employment unlawful on Sunday.

Referred to the Committee on Rules.

SENATE BILL No. 1068.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. CIANFRANI.

RESOLUTION No. 113.

In the House of Representatives, September 15th, 1959.

Numerous attempts have been made to abolish capital punishment within this Commonwealth and provide for the substitution of a life sentence in lieu thereof. It is the feeling of many persons that capital punishment is long outmoded and is not in keeping with the religious, moral or social standards of today. A number of states which had capital punishment have changed such punishment and in lieu thereof substituted a life sentence. A large number of the clergy of this Commonwealth have expressed a desire for a full study of capital punishment; therefore be it

Resolved, That the Joint State Government Commission be directed to conduct a thorough study of capital punishment throughout the United States, and to submit to the next session of the General Assembly its findings and recommendations in regard to the abolition thereof.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1305 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 11, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1305, Printer's No. 1245, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE

RECONSIDERATION OF VOTE

Mr. POLEN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. FETTEROLF. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Washington, Mr. POLEN vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Montgomery, Mr. Fetterolf vote on the final passage of this bill?

Mr. FETTEROLF. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. POLEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Bill, page 8, by inserting between lines 3 and 4: Section 3. Subsection E of section 1 of the act is amended by adding at the end thereof a new paragraph to read: Section 1. * * * E. Limitations on Rates of Specific Taxes. * * * "In any case in which a school district has prior to the effective date, levied a tax at the maximum rate on wages, salaries, commissions and other earned income of individuals, a township of the second class shall not impose a like tax on the same individuals until the expiration of five (5) years from the effective date of this act, unless during such five (5) year period the rate in accordance with this subsection. * * *

Amend Sec. 3, page 8, line 4, by striking out "3" and inserting "4."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 762 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution re-

calling from the Governor House Bill No. 762, Printer's No. 435, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE

RECONSIDERATION OF VOTE

Mr. WHEELER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SNIDER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Fayette, Mr. Wheeler vote on the final passage of this bill?

Mr. WHEELER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Fayette, Mr. Snider vote on the final passage of this bill?

Mr. SNIDER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. WHEELER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WHEELER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by striking out "construction and."

Amend Title, page 1, last line of Title, by inserting after "repair: "or replacement of the roadway deck or the extension."

Amend Sec. 1 (Sec. 2), page 3, line 6, by striking out "construction or."

Amend Sec. 1 (Sec. 2), page 3, line 6, by inserting after "repair": "or replacement of the roadway deck or the extension."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess for one hour.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 568 on page 4 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 568, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and the location and construction of school buildings in school districts of the third and fourth class where the reimbursement by the Commonwealth on account of transportation will be increased because of such acquisition of grounds or the location and construction or reconstruction of school buildings.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Anderson,	Galley,	McInroy,	Royer,
Arlene,	Gallagher,	McKeever,	Rudisill,
Ashton,	Garlock,	McLaughlin,	Sakulsky,
Balthaser,	Gelfand,	Machmer,	Scarcelli,
Barton,	George,	Mahan,	Schaaf,
Blair,	Goldstein,	Markley,	Schuster,
Bonner,	Goodrich,	Maxwell,	Schwartz,
Boris,	Gramlich,	Meholchick,	Seltzer,
Bower,	Guthrie,	Merry,	Sherman,
Bowman,	Hamilton,	Miller, B. Z.,	Shupnik,
Branca,	Heavey,	Mills,	Silverman,
Breth,	Heffner,	Monroe,	Snare,
Brown,	Helm,	Muldowney,	Snider,
Buchanan,	Hocker,	Mullen,	Stank,
Burns,	Holliday,	Murphy, A. J., Jr.,	Steckel,
Capitolo,	Holt,	Murphy, P. J.,	Stevens,
Cianfrani,	Irvls,	Murray, H. P.,	Stewart,
Cioffi,	Jenkins,	Murray, J. J.,	Stone,
Clarke,	Jim,	Murray, P. G.,	Stoner,
Comer,	Johnson, A. W.,	Musto,	Strausser,
Crossin,	Jones, F. R.,	Naugle,	Stroup,
Curwood,	Jones, T. H. W.,	Needham,	Sullivan,
Dengler,	Jump,	Nelson,	Trusio,
Dennison,	Kamyk,	O'Dell,	Ujobai,
Devlin,	Kee,	O'Donnell, J. A.,	Varallo,
Donaldson,	Kelser,	O'Donnell, J. P.,	Varner,
Dougherty,	Kessler,	O'Neill,	Verona,
Edwards,	Knecht,	Parlante,	Wall,
Ellberg,	Kornick,	Pashley,	Walsh,
Eshback,	Kovolenko,	Perry, H. H.,	Wargo,
Eshleman,	Kubitsky,	Perry, P. E.,	Weidner,
Ewing,	Lee, A. M.,	Petrosky,	Wescott,
Farabaugh,	Lee, K. B.,	Polaski,	Wheeler,
Filo,	Leonard,	Polen,	Williams, E. S.,
Fineman,	Limper,	Prendergast,	Willard,
Floyd,	Lopresti,	Price,	Willaredt,
Flynn,	Luigard,	Reibman,	Wood,
Foerster,	Lutty,	Reidenbach,	Worley,
Fox,	McCandless,	Renwick,	Wynd,
Frank,	McCann,	Rigby,	
Frascella,	McCormack,	Riley,	
Fulmer,	McDonald,	Rovansek,	

Andrews, Speaker

NAYS—26

Agnew,	Fetterolf,	Kooker,	Pursley,
Auker,	Gibb,	Korns,	Tompkins,
Bell,	Henzel,	Lippincott,	Williams, A. D., Jr.,
Brenninger,	Horst,	Miller, H. G.,	Willaredt,
Davis,	Isaacs,	Odorisio,	Worley,
Donahue,	Johnson, R.,	Ogilvie,	Wynd,
Down,	Kernaghan,		

NO VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 864 on page 6 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the third reading and consideration on final passage of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Bonner,	Goodrich,	Markley,	Seltzer,
Boris,	Gramlich,	Maxwell,	Sherman,
Bower,	Guthrie,	Meholchick,	Shupnik,
Bowman,	Hamilton,	Merry,	Silverman,
Branca,	Heavey,	Miller, B. Z.,	Snare,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stone,
Buchanan,	Hocker,	Muldowney,	Stoner,
Burns,	Holliday,	Mullen,	Strausser,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Horst,	Murphy, P. J.,	Sullivan,
Cioffi,	Irvls,	Murray, H. P.,	Trusio,
Clarke,	Isaacs,	Murray, J. J.,	Ujobai,
Comer,	Jenkins,	Murray, P. G.,	Varallo,
Crossin,	Jim,	Musto,	Varner,
Curwood,	Johnson, A. W.,	Naugle,	Verona,
Davis,	Johnson, R.,	Needham,	Wall,
Dengler,	Jones, F. R.,	Nelson,	Walsh,
Dennison,	Jones, T. H. W.,	O'Dell,	Wargo,
Devlin,	Jump,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kamyk,	O'Donnell, J. P.,	Wescott,
Dougherty,	Kee,	Odorisio,	Wheeler,
Down,	Kelser,	Ogilvie,	Williams, A. D., Jr.,
Edwards,	Kernaghan,	O'Neill,	Williams, E. S.,
Ellberg,	Kessler,	Parlante,	Willard,
Eshback,	Knecht,	Pashley,	Willaredt,
Eshleman,	Kooker,	Perry, H. H.,	Wood,
Ewing,	Kornick,	Perry, P. E.,	Worley,
Farabaugh,	Kovolenko,	Petrosky,	Wynd,
Fetterolf,	Lee, A. M.,	Polaski,	Yatron,
Filo,	Lee, K. B.,	Polen,	Yetter,
Fineman,	Leonard,	Prendergast,	Zimmerman,
Floyd,	Limper,	Price,	Andrews,
Flynn,	Lippincott,	Reibman,	Speaker
Foerster,	Lopresti,	Reidenbach,	
Fox,	Luigard,	Renwick,	
Frank,	Lutty,	Rigby,	

NAYS—5

Donahue,	Kubitsky,	Pursley,	Tompkins,
Korns,			

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2147 on page 10 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2147, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) empowering the State Council of Education to promulgate standards for the acquisition of school grounds and construction of school buildings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Anderson,	Galley,	McInroy,	Rudisill,
Arlene,	Gallagher,	Machmer,	Sakulsky,
Ashton,	Garlock,	McKeever,	Scarcelli,
Balthaser,	Gelfand,	McLaughlin,	Schaaf,
Barton,	George,	Mahan,	Schuster,
Blair,	Goldstein,	Markley,	Schwartz,
Bonner,	Goodrich,	Maxwell,	Seltzer,
Boris,	Gramlich,	Meholchick,	Sherman,
Bower,	Hamilton,	Merry,	Shupnik,
Bowman,	Heavey,	Miller, B. Z.,	Silverman,
Branca,	Heffner,	Mills,	Snare,
Breth,	Helm,	Monroe,	Snider,
Brown,	Hocker,	Muldowney,	Stank,
Buchanan,	Holliday,	Mullen,	Steckel,
Burns,	Holt,	Murphy, A. J., Jr.,	Stevens,
Capitolo,	Horst,	Murphy, P. J.,	Stewart,
Cianfrani,	Irlis,	Murray, H. P.	Stone,
Cioffi,	Jenkins,	Murray, J. J.,	Stoner,
Ciarke,	Jim,	Murray, P. G.,	Strausser,
Comer,	Johnson, A. W.,	Musto,	Stroup,
Crossin,	Jones, F. R.,	Naugle,	Sullivan,
Curwood,	Jones, T. H. W.,	Needham,	Trusio,
Dengler,	Jump,	Nelson,	Ujobai,
Dennison,	Kamyk,	O'Dell,	Varallo,
Devlin,	Kee,	O'Donnell, J. A.,	Verona,
Donaldson,	Keiser,	O'Neill,	Wall,
Dougherty,	Knecht,	Parlante,	Walsh,
Edwards,	Kessler,	Pashley,	Wargo,
Ellberg,	Kornick,	Perry, H. H.,	Wescott,
Eshback,	Kovolenko,	Perry, P. E.,	Wheeler,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.
Ewing,	Lee, A. M.,	Polaski,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Polen,	Willard,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Limper,	Price,	Worley,
Floyd,	Lopresti,	Reibman,	Wynd,
Flynn,	Lulgard,	Reidenbach,	Yatron,
Foerster,	Lutty,	Renwick,	Yetter,
Fox,	McCandless,	Rigby,	Zimmerman,
Frank,	McCann,	Riley,	
Frascella,	McCormack,	Rovansek,	
Fulmer,	McDonald,	Royer,	Andrews, Speaker

NAYS—26

Agnew,	Fetterolf,	Kooker,	Ogilvie,
Auker,	Gibb,	Korns,	Pursley,
Bell,	Guthrie,	Lippincott,	Tompkins,
Brenninger,	Henzel,	Miller, H. G.,	Varner,
Davis,	Isaacs,	O'Donnell, J. P.,	Weidner,
Donahue,	Johnson, R.,	Odorisio,	Willaredt,
Down,	Kernaghan,		

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Weish,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2174, on page 11 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2174, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the election of district superintendents and assistant superintendents in districts of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Agnew,	Galley,	McDonald,	Rudisill,
Anderson,	Gallagher,	McInroy,	Sakulsky,
Arlene,	Garlock,	McKeever,	Scarcelli,
Auker,	Gelfand,	McLaughlin,	Schaaf,
Balthaser,	George,	Machmer,	Schuster,
Barton,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Guthrie,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Heffner,	Miller, H. G.,	Snider,
Breth,	Helm,	Mills,	Stank,
Brown,	Henzel,	Monroe,	Steckel,
Buchanan,	Hocker,	Muldowney,	Stevens,
Burns,	Holliday,	Mullen,	Stewart,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Stone,
Cianfrani,	Horst,	Murray, H. P.	Stoner,
Cioffi,	Irlis,	Murray, J. J.,	Strausser,
Clarke,	Jenkins,	Murray, P. G.,	Stroup,
Comer,	Jim,	Musto,	Sullivan,
Crossin,	Johnson, A. W.,	Naugle,	Tompkins,
Curwood,	Johnson, R.,	Needham,	Trusio,
Davis,	Jones, F. R.,	Nelson,	Ujobai,
Dengler,	Jones, T. H. W.,	O'Dell,	Varallo,
Dennison,	Jump,	O'Donnell, J. A.,	Varner,
Devlin,	Kamyk,	Ogilvie,	Verona,
Donahue,	Kee,	O'Neill,	Wall,
Dougherty,	Keiser,	Parlante,	Walsh,
Down,	Kessler,	Pashley,	Wargo,
Edwards,	Knecht,	Perry, H. H.,	Weidner,
Ellberg,	Kooker,	Perry, P. E.,	Wescott,
Eshback,	Kornick,	Petrosky,	Wheeler,
Eshleman,	Korns,	Polaski,	Williams, A. D., Jr.,
Ewing,	Kovolenko,	Polen,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Prendergast,	Willard,
Fetterolf,	Lee, K. B.,	Price,	Willaredt,
Filo,	Leonard,	Pursley,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Floyd,	Lopresti,	Reidenbach,	Wynd,
Flynn,	Lulgard,	Renwick,	Yatron,
Foerster,	Lutty,	Rigby,	Yetter,
Fox,	McCandless,	Riley,	Zimmerman,
Frank,	McCann,	Rovansek,	
Frascella,	McCormack,	Royer,	Andrews, Speaker
Fulmer,			

NAYS—12

Ashton,	Donaldson,	Kernaghan,	Murphy, P. J.,
Bell,	Gibb,	Kubitsky,	O'Donnell, J. P.,
Brenninger,	Isaacs,	Lippincott,	Odorisio,

NOT VOTING—16

Boles,
Capano,
Cooper,
Dennis,

Lamb,
Light,
Magee,
Mihm,

Moran,
Munley,
Stimmel,
Taylor,

Thompson,
Welsh,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2286 on page 11 of today's calender, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2286, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,
Anderson,
Arlene,
Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Breth,
Brown,
Buchanan,
Burns,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Eilberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,

Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Hollday,
Holt,
Horst,
Irviss,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Jump,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korns,
Kovolenko,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Lopresti,
Lulgard,

Lutty,
McCandless,
McCann,
McCormack,
McDonald,
McInroy,
McKeever,
McLaughlin,
Machmer,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Miller, B. Z.,
Miller, H. G.,
Mills,
Monroe,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
O'Dorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Reibman,
Reidenbach,
Price,
Pursley,
Renwick,

Rigby,
Riley,
Rovanseck,
Royer,
Rudisill,
Sakulsky,
Scarcelli,
SchAAF,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stewart,
Stone,
Stoner,
Strausser,
Stroup,
Sullivan,
Tompkins,
Trusio,
Ujobal,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Wescott,
Wheeler,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wood,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—2

Stevens,

Worley,

NOT VOTING—16

Boles,
Capano,
Cooper,
Dennis,

Lamb,
Light,
Magee,
Mihm,

Moran,
Munley,
Stimmel,
Taylor,

Thompson,
Welsh,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2358 on page 12 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2358, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) further defining the authority of the Department of Public Instruction to review construction projects.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Anderson,
Arlene,
Ashton,
Balthaser,
Barton,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Breth,
Brown,
Buchanan,
Burns,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Dengler,
Dennison,
Devlin,
Donaldson,
Dougherty,
Edwards,
Eilberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Frascella,

Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Heffner,
Helm,
Hocker,
Holt,
Irviss,
Jenkins,
Jim,
Johnson, A. W.,
Jones, F. R.,
Jones, T. H. W.,
Jump,
Kamyk,
Kee,
Kelser,
Knecht,
Kornick,
Kovolenko,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lopresti,
Lulgard,
Lutty,
McCandless,
McCann,
McCormack,
McDonald,

McInroy,
McKeever,
McLaughlin,
Machmer,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Miller, B. Z.,
Mills,
Monroe,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Reibman,
Reidenbach,
Renwick,
Rigby,
Riley,
Rovanseck,

Royer,
Rudisill,
Sakulsky,
Scarcelli,
SchAAF,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stevens,
Stewart,
Stone,
Strausser,
Stroup,
Sullivan,
Trusio,
Ujobal,
Varallo,
Verona,
Wall,
Walsh,
Wargo,
Wescott,
Wheeler,
Williams, E. S.,
Willard,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—30

Agnew,	Gibb,	Kooker,	Pursley,
Auker,	Henzel,	Korns,	Stoner,
Bell,	Holliday,	Lippincott,	Tompkins,
Brenninger,	Horst,	Miller, H. G.,	Varner,
Davis,	Isaacs,	O'Donnell, J. P.	Weidner,
Donahue,	Johnson, R.,	Odorisio,	Williams, A.D., Jr.,
Down,	Kernaghan,	Ogilvie,	Willaredt,
Fetterolf,	Kessler,		

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WHEELER asked and obtained unanimous permission for the Committee on Ways and Means to meet during the session of the House.

BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 436 on page 12 of today's calendar, bills on third reading,

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Agnew,	Fulmer,	McDonald,	Rigby,
Anderson,	Galley,	McInroy,	Riley,
Arlene,	Gallagher,	McKeever,	Rovanseck,
Ashton,	Garlock,	McLaughlin,	Royer,
Auker,	Gelfand,	Machmer,	Rudisill,
Balthaser,	George,	Mahan,	Sakulsky,
Barton,	Gibb,	Markley,	Scarcelli,
Blair,	Goldstein,	Maxwell,	Schaaf,
Bonner,	Goodrich,	Meholchick,	Schuster,
Boris,	Gramlich,	Merry,	Schwartz,
Bowman,	Guthrie,	Miller, B. Z.,	Seltzer,
Branca,	Hamilton,	Miller, H. G.,	Sherman,
Brenninger,	Heavey,	Mills,	Silverman,
Breth,	Heffner,	Monroe,	Snare,
Brown,	Helm,	Muldowney,	Snider,
Buchanan,	Henzel,	Mullen,	Stank,
Burns,	Holt,	Murphy, A. J., Jr.	Stevens,
Capitolo,	Irvls,	Murphy, P. J.,	Stewart,
Cianfrani,	Jenkins,	Murray, H. P.,	Stone,
Cioffi,	Jim,	Murray, J. J.,	Stoner,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Stroup,
Comer,	Johnson, R.,	Musto,	Sullivan,
Curwood,	Jones, F. R.,	Naugle,	Trusio,
Davis,	Jones, T. H. W.,	Needham,	Ujosal,
Dengler,	Kamyk,	Nelson,	Varallo,
Dennison,	Kee,	O'Dell,	Varner,
Devlin,	Keiser,	O'Donnell, J. A.,	Verona,

Donahue,	Knecht,	Ogilvie,	Wall,
Donaldson,	Kooker,	O'Neil,	Wargo,
Dougherty,	Kornick,	Parlante,	Weidner,
Down,	Korns,	Pashley,	Wescott,
Ellberg,	Kovolenko,	Perry, H. H.,	Wheeler,
Eshback,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lee, K. B.,	Petrosky,	Willard,
Ewing,	Leonard,	Polaski,	Willaredt,
Farabaugh,	Limper,	Polen,	Wood,
Filo,	Lippincott,	Prendergast,	Wynd,
Fineman,	Lopresti,	Price,	Yatron,
Floyd,	Luigard,	Pursley,	Yetter,
Flynn,	Lutty,	Reibman,	Zimmerman,
Foerster,	McCandless,	Reidenbach,	
Frank,	McCann,	Renwick,	Andrews,
Frascella,	McCormack,		Speaker

NAYS—23

Bell,	Hocker,	Kessler,	Strausser,
Bower,	Holliday,	Kubitsky,	Tompkins,
Crossin,	Horst,	O'Donnell, J. P.	Walsh,
Edwards,	Isaacs,	Odorisio,	Williams, A.D., Jr.,
Fetterolf,	Jump,	Shupnik,	Worley,
Fox,	Kernaghan,	Steckel,	

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1702 on page 5 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1702, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto * * *.

On the question,

Shall the bill pass finally?

Mr. COMER. Mr. Speaker and my colleagues on both sides of the House, we have before us today for consideration House Bill 1702, Printer's No. 1634, which if enacted will replace the Highway Code of 1945. This is not to be confused with the Motor Vehicle Code which became law this Session.

It is the opinion of the Highway Department and other groups, as well as myself, that a general overhauling is necessary in order to bring our Highway Code up to date.

In the repeal section of the bill you will find many obsolete acts that are not needed and should be abolished by repeal.

In other sections of House Bill 1702 you will find sections that are existing law. In others you will find existing law with new thoughts added. There are others that are completely new. For instance, take Section 201 on page 17, the legislative intent, and at the same time if you go

to page 24, section 502, I believe you will agree with me there would be no doubt in anyone's mind that only this General Assembly and we alone place highways on the state system and only you and I will delete them.

The only exception to this rule will be found on page 47, section 1007, and I quote "If in the opinion of the Secretary there exists an emergency requiring immediate attention to save any highway from damage or to protect the public safety the Secretary may contract for repairs to prevent the damage or to protect the public safety without advertising for bids." In other words, if an act of God should occur, as in 1957 when floods and rains destroyed many of our highways and bridges, the Secretary could move in, if we would not be in Session, and without the Governor proclaiming a state of emergency, immediately bring in men and equipment to combat the emergency at hand without going through the due processes of law.

Before I close I would like to warn the membership of this House that before your Committee on Highways released this bill from committee we held two semi-public hearings, which my two co-sponsors who are not members of the committee were invited to attend, also our Secretary of Highways, Park Martin, and practically his entire staff, who answered the many questions that were raised pertaining to House Bill 1702. Some points we agreed on others we disagreed on. As a result many amendments to this bill were made in Committee and many others were made on the floor of the House. You take a bill of this size and the many complicated sections in the bill, which, incidentally has 176 sections not including the repeal section, and you can appreciate the fact that even Solomon could not satisfy all the groups that were involved in House Bill 1702.

Mr. Speaker, I will now consent to be interrogated.

Mr. HELM. Mr. Speaker, I rise to discuss House Bill 1702, as I did when the bill was before us previously.

At that time I praised the Chairman of the Highway Committee and the members of that Committee for the fine work they did in conducting hearings on this bill, and I believed they were able to obtain a great amount of information. I tried to point out at that time that I did not believe that even the Chairman of the Highways Committee at that time knew the extent of the bill, and I think that was pretty well proven by his willingness to delay any action on it until the bill was properly amended.

The Chairman has stated here on the floor today that the legislative power over the abandoning of highways or taking over of new highways has been retained by the amendments that were offered by the gentleman from Philadelphia, Mr. Comer, and with that I agree, I believe that power is now back in the bill. I am also very much in favor of the retention of the emergency powers for the Secretary of Highways in times of disaster or dire emergency. That power, I believe, should also be retained in this bill. However, there are a number of things that I would like to interrogate the Chairman of the Committee about and ask that he give consent to interrogation at this time.

The SPEAKER. The Chairman has already asked for it. The gentleman from Armstrong will proceed.

Mr. HELM. Mr. Speaker, I would like to ask the gentle-

man to turn to page 23 of today's bill, Section 404.

If the gentleman will turn to Section 404 he will find, I believe, that that section, which is a very short section, says. "The secretary has exclusive authority and jurisdiction as imposed or conferred by this act over all the facilities of the State highway system."

The question I would like to ask the gentleman is, how would this affect the present powers of the Department of Forests and Waters as to highways that exist in state forests and parks today?

Mr. COMER, Mr. Speaker, there is another section in the bill dealing with this part the gentleman has inquired about.

Mr. HELM. Will the gentleman give me the number of that section?

Mr. COMER. Mr. Speaker, if the gentleman will turn to page 30, Section 701, dealing with highways and Commonwealth lands.

Mr. HELM. Mr. Speaker, I believe that particular section refers to highways that are presently located or relocated on state lands that are to be located or relocated. What will happen to the maintenance of the roads, the present roads, as they exist today and are presently maintained by the Department of Forests and Waters?

Mr. COMER. They would come under the control and supervision of the State Highway Department.

Mr. HELM. What would happen then, I would ask the gentleman, to the present powers of the Public Utility Commission as to highway railroad crossings?

Mr. COMER. That jurisdiction would still stay under the jurisdiction of the Public Utility Commission, Mr. Speaker, I believe.

Mr. HELM. I believe the gentleman is not correct in that statement because I think it says that the Secretary has exclusive jurisdiction.

Mr. COMER. Which crossings are you talking about?

Mr. HELM. Railroad crossings crossing state highways. Presently permission to put in that railroad crossing is granted by the Public Utility Commission.

Mr. COMER. They would be retained by the Public Utility Commission, that is correct. I stay with that statement.

Mr. HELM. Will the gentleman show me where that says so in the bill?

Mr. COMER. Mr. Speaker, I would appreciate it if the gentleman would show me in this section where it does not.

Mr. HELM. I will read, for the gentleman's information, Section 404. "The Secretary has exclusive authority and jurisdiction as imposed or conferred by this act over all the facilities of the State Highway System." I say to you where a highway crosses a railroad crossing is a highway facility. I say to you, sir, that the permission would be taken away from the Public Utility Commission and given to the Secretary of Highways.

Mr. COMER. Could the gentleman, Mr. Speaker, show me the section in the bill where it changes existing law?

Mr. HELM. This is not existing law. This is a new highway code we are discussing today.

Mr. COMER. The way I interpret it, Mr. Speaker, the Secretary has exclusive jurisdiction over highways; the Secretary has exclusive authority and jurisdiction as imposed or conferred by this act.

Mr. HELM. We will get to the other sections of this

bill, I believe, where I will point out that permits are required of the Secretary of Highways, Mr. Speaker. so may we pass on to another question for the moment?

I would like to ask the gentleman to turn to page 35 of the bill, Section 806. It says in this section that after the Secretary condemns a farm, for example, he can change his mind and need to pay damages only if he has entered physically on the farm.

The question I would like to ask is, what happens of a farmer in the meantime loses a chance to sell his farm at a good price while the Department is making up its mind whether or not it is going to take the property?

Mr. COMER. Well, under this bill. Mr. Speaker, the farmer will be paid 75 percent. When the Department comes in on condemnation proceedings, he would receive 75 percent which would allow him to go out and purchase another property.

Mr. HELM. I believe if the gentleman will turn to Section 863, page 40, he will find that what he is saying is not exactly the fact. It says, "Partial Payment. After the Governor approves the plan the secretary may pay the owner, or if the owner refuses to accept payment or his whereabouts are unknown may pay into court an amount not to exceed seventy-five per cent of the department's lowest appraisal figures." There is nothing mandatory about that particular section. The Secretary may arbitrarily refuse to pay the 75 percent or any part of it. I say to you that the farmer could conceivably lose the opportunity of selling his farm, and if the Highway Department does not make physical entry onto the property, they do not have to take possession. Therefore, the farmer would have no recourse whatsoever.

Mr. COMER. May I say to the gentleman, Mr. Speaker, that the present policy of the Department has been operated under this procedure and has been paying 75 percent.

Mr. HELM. Mr. Speaker, I do not question what has been the policy, but I say to you we are today enacting a new Highway Code and policy has nothing whatsoever to do with what they might do under this bill.

I would like to ask the gentleman, suppose then that the farmer when he was notified that his land was condemned, he borrowed money and goes out and buys another farm. Then the Secretary, at the last moment, changes his mind. Can the farmer collect any damages under this bill?

Mr. COMER. The only damages that are provided under the bill are detention damages.

Mr. HELM. What kind of damages?

Mr. COMER. Detention, where the Highway Department of the Commonwealth comes in, condemns the property, and pays the owners 75 percent, the 25 percent remaining is held with the provision of detention damages which would be paid.

Mr. HELM. Will the gentleman cite the section of the bill that points this out?

Mr. COMER. Page 35, section 806. If the gentleman will turn to this section, line 14, in the middle of the sentence where it starts, "but if the department has made a physical entry—".

Mr. HELM. Well, will the gentleman go back to line 12, and begin reading at the word "In". I am not questioning about the Department having made physical entry. I agree with him, then they take possession of the property. I am talking about what happens before the Department makes physical entry on the property.

Mr. COMER. Mr. Speaker, may I say to the gentleman, when you pick out one little section it is pretty hard to deal with unless you go over the entire condemnation section.

Mr. HELM. Mr. Speaker, I am just asking the gentleman to explain to me what the wording of the bill means. Now, if we have to take a 127 page bill and depend entirely upon the authority of the people who might have drawn this bill that it has what the gentleman says it has in it, then I think we are entirely wrong. I am only pointing out to you some of the things that I think can happen under this bill.

Mr. COMER. At the same time I repeat, Mr. Speaker, on a bill of this size it is pretty hard to know the bill word for word and find a section right offhand, no matter how many times you read it over.

Mr. HELM. Well, Mr. Speaker, I would like to point out to the gentleman that under Article 1, Section 10 of our Constitution it forbids the state to take private property until just compensation is first made or secured.

Under this bill what security does the property owner have at the moment the Governor signs the plan that he is going to be paid for the property that is being condemned?

Now bear in mind they have not made physical entry onto the property. What security does the farmer have that he is going to get any damages?

Mr. COMER. Mr. Speaker, if there is no damage done on the entry, why would there be any reason for damages?

Mr. HELM. Well I say to you, the farmer has gone out—based on the fact that his property is going to be taken, is condemned, by the Highway Department for their use—and purchased another farm. What protection does he have?

Mr. COMER. Mr. Speaker, in reply to the gentleman let me say this. Under a vast highway program there are some sacrifices that have to be made. Just because the Highway Department came in and made the plan, and changed its mind, it does not mean the man should be paid damages.

Mr. HELM. Mr. Speaker, under the bill it says that a man's property is condemned as soon as the Governor approves the Secretary's plan to take the property, but the Secretary does not have to pay any damages at all until such a time as the Highway Department makes legal entry onto the property, and that could be five years later. Or, the Secretary could relinquish his right to take it over and the farmer would be left holding the bag.

Mr. Speaker, I do not want to belabor the point, but I think that I have proven without question that this can happen and I do not believe that the gentleman has been able to refute that it can happen. It can happen to a farm or to a private home.

I would like to ask some other questions and not stick with this particular point and take the time of the House.

Let us turn to Section 903 on page 42 of the bill. This particular section empowers the Secretary to exclude poles, pipes and other facilities of municipalities and regulated utilities from limited access highways if that is necessary to obtain Federal aid funds.

The question I would like to ask the gentleman. Is it

not a fact that regardless of whether Federal aid funds are involved or not that the Secretary can exclude utility facilities from any highway merely by refusing to grant them a permit under Section 1502 of the bill on page 59?

Mr. COMER. What type of highway is the gentleman speaking of?

Mr. HELM. I do not care what kind of a highway it is. The Secretary, under Section 1502 on page 59 of the bill has complete authority to grant or refuse a permit for any utility facility along the highway, whether there are Federal aid funds involved or not. Will the gentleman state whether that is correct?

Mr. COMER. We will first deal, Mr. Speaker, with the Federal aid program. It is the policy of the public works department act the utilities are paid from the interstate system and the secondary and primary highways.

Mr. HELM. But is it not true that the Secretary has the authority to exclude them by not granting a permit?

Mr. COMER. He has that right now under the 1945 Act, I believe.

Mr. HELM. Well, I question that, but I will go to another question. I will accept the man's answer.

Now, Section 1003 on page 45. This particular section gives the Department power to decide who is a competent and responsible bidder on highway contracts and lists some factors to be considered in deciding this, but the Department is not limited to those factors. The question I would like to ask is what is to prevent the Department from excluding competent bidders in an arbitrary manner merely because he does not personally like them, or because of political favoritism, or any other reason that he so desires?

Mr. COMER. Mr. Speaker, to answer the gentleman's question dealing with Section 1003, this is prequalification, not qualification.

Mr. HELM. Will the gentleman read Section 1003?

Mr. COMER. I will. "Prequalifications of bidders. The Department shall by regulation establish a system for the qualification of competent and responsible bidders on highway projects. In determining the qualifications of bidders the department shall consider but not be limited to the following factors relating to the contractors: (1) Equipment (2) Past record (3) Experience (4) Personnel (5) Financial condition."

Mr. HELM. Will the gentleman read the last sentence of the Section?

Mr. COMER. "The department shall not consider bids from any bidder who is not qualified." May I ask the gentleman, Mr. Speaker, has he ever known the policy of the Highway Department to play politics along this line?

Mr. HELM. Mr. Speaker, I would answer the gentleman this way, that we have never been operating the Department under this particular bill up to this present moment.

I asked the gentleman, could the Secretary of Highways refuse to qualify a bidder purely because he did not personally like the bidder under the authority given to him under this bill?

Mr. COMER. Then I would say to the gentleman would he read Section 1002 on page 44?

Mr. HELM. Any particular sentence?

Mr. COMER. Read the whole Section to us.

Mr. HELM. Does the gentleman want to point out some

particular point in that Section? If he does I will be glad to accept it.

Mr. McCANN. Mr. Speaker, the gentleman from Philadelphia, Mr. Comer, yields to me.

Mr. HELM. I will be happy to have the Majority Leader answer the question.

Mr. McCANN. Has the gentleman ever had the experience in bidding for projects under the Department of Highways at the present time or in the last 10 years?

You can answer the question very simply. Could I bid on a job on which the specifications and the notice are out? The answer would be "no," because I would have to meet each of the requirements as the contractors do now. If I were a man on bridge bidding and did not have road equipment, or sub-contract tie-ins for equipment, could I bid? The answer would be "no." It would be no different than exists now in that section.

Mr. HELM. Mr. Speaker, I read for the gentleman's information again "In determining the qualifications of bidders the department shall consider, but not be limited to the following factors relating to the contractors." The simple question that I am asking is could the Secretary of Highways conceivably under this Section refuse to qualify a contractor to bid on a project because he personally disliked the contractor?

Mr. McCANN. If he met all the other requirements and the sole requisite for refusing his right to bid would be that he did not like him the answer would certainly be emphatically no.

Mr. HELM. Mr. Speaker, I am sure that the Section does not so state. I think the Secretary of Highways could refuse for any reason that he so desired to qualify a particular contractor to bid on the project, according to the language of Section 1003. I am not saying he will do it. I am only asking a hypothetical question.

Mr. McCANN. In other words, you are trying to insert into Section 1003 something that is not there?

Mr. HELM. I am not, Mr. Speaker. The thing I am trying to bring out is the thing I tried to bring out in my interrogation on the previous day when we discussed this bill. I think you are making a super-dictator out of a person who is presently a dictator in the Highway Department of this Commonwealth. We are giving him powers far above and beyond the present powers that he presently has. That is my reason for asking this question, as it is for every other question I intend to ask.

Mr. McCANN. Then under Section 1003 your interpretation is that the Secretary of Highways would be a dictator by dictating the policy on the grounds by which he could refuse other than those which are outlined carefully.

Mr. HELM. I certainly do believe that because that is what the section states.

Mr. McCANN. Would that not be an abuse of the administrative powers of the office?

Mr. HELM. That is the very thing I am worried about.

Mr. McCANN. Then who would throw it out if a Secretary of Highways abused in any way the powers definitely and clearly outlined for him; would not the court throw it out immediately?

Mr. HELM. Mr. Speaker, it would not be an abuse of power because we are granting him that power. There would only be one of two ways where the Secretary of Highways could eventually be controlled. No. 1, by remov-

al from office by the Governor, and No. 2, by legislation passed by this House of Representatives in session. We are granting him the overall, absolute power under this bill.

Mr. McCANN. Mr. Speaker, I can not foresee that in Section 1003, which is a section on which I am speaking. I have the knowledge in the short years that I have been around this Commonwealth of contracts, and I am sure the gentleman from Armstrong does also, in which contractors cannot bid in certain fields and they know they cannot. They do not have the equipment or financing, in fact many of them have argued about it because they would like to bid in a larger field of work, and there are no dictatorial powers granted to the Secretary of Highways in the wording of Section 1003. You are trying to put the words in there and they are not there, and that man certainly would never, and has certainly never, by his past record, even if you gave it to him, ever used such powers if that would be the case. I am sure that it does not exist for you cannot find it in the words of Section 1003.

Mr. HELM. Mr. Speaker, I would like to have the gentleman make a simple answer to a question that I am going to propound again.

Let us assume that we have a contractor who has every qualification as set up under Section 1003, items 1, 2, 3, 4, and 5. The Secretary of Highways personally dislikes this particular contractor. I ask the gentleman to answer me yes or no, could the Secretary of Highways refuse to qualify him as a contractor for a particular project?

Mr. McCANN. The answer would be no, he could not in any way if the sole reason outlined was that he did not like the contractor.

Mr. HELM. Then I would like to ask the gentleman why is the phrase in Section 1003, "but not be limited to" put into the act?

Mr. McCANN. I could take, for example, conditions which would arise and they are not outlined. No. 1, equipment. To be a bidder you list your equipment, that equipment which you own, and that which you could rent.

Mr. HELM. That is written into the bill.

Mr. McCANN. No. 2, the past record would be your record of wherever you operated.

No. 3 would certainly be your experience, first job, tenth job, or maybe ten years' experience. There would be no question.

Personnel of organization would be whoever you employed or whoever you have in your entire group.

Next, the financial condition of your organization and the backing of the bank which is going to finance your bidding, whether it is Chase National Bank, or your local bank.

What else could enter into it? I do not think it would take long to enter into it under the equipment section alone. Let us carefully study the matter. You submit a form and there is a sub-contractor you tie in with, you will tie your work in with him now, and the equipment is tied together, and I as a sub-contractor am also tied in with other contractors. My equipment does not become available at the time the work on this bid would be done. That would be one. Very simple.

I am sure that for other reasons your financial condition at the time you are bidding and contractors have

many bids going at many times, which sometimes creates a situation in which their credit rating becomes worse instead of better. You have had that experience.

Mr. HELM. Mr. Speaker, could I interrupt the gentleman for just a moment?

I do not question the necessity for having these five items as a necessary qualification for a contractor to be a competent contractor to award a contract to. I am not questioning that. I think all five of those items are very, very important, but I say to you, what else might the Secretary of Highways have in his mind for refusing to grant the contract or qualify a contractor, or why would we have in the words "but not be limited to" in this particular section?

Mr. McCANN. Mr. Speaker, I am trying to tell the gentleman from Armstrong of typical examples of "would not be limited," dealing with the basic problems involved, and not actually problems of equipment and so forth, the items that change. These are the basic items. No place in there can you see the interpretation that would refuse that person to be a bidder solely because the Secretary would not like him, would not be of the same political party. If that would be the case, that would be a good one for us, would it not? The Secretary of Highways is not a Democrat, and the fact that a question—

Mr. HELM. I was not questioning the qualifications of the Secretary of Highways, his political party or anything about him. I think he is a very qualified gentleman, but we may not always have the same Secretary of Highways. I have seen in past administrations where the secretaryship has changed as high as three times in one administration and we never know who is going to be Secretary of Highways. If the Secretary wants to take advantage of those words "but not be limited to" he certainly in my opinion has the right to take advantage of those words.

I do not want to follow the point any further. I believe we have spent enough time on it and brought out the fact that he does have that authority.

I would like to ask a few more questions, and I will interrogate the gentleman from Greene, or the gentleman from Philadelphia.

Mr. Speaker, I would like to ask the gentleman to turn to page 59 of the bill, Section 1502, which I believe we referred to previously in our discussion. That requires permits to be obtained from the department for any public utility facility to be placed upon, across or under a highway.

Suppose you have a state highway in a city such as on Second Street in Harrisburg, which is currently, I believe, U. S. Route 22. Suppose the telephone company has its poles on one side of the street. Must it have permits for all cross-over wires serving houses on the other side of the street?

Mr. COMER. Mr. Speaker, in answer to that question I would say to the gentleman, there would not be any necessity for permits because the Pennsylvania Power and Light has done a very good job in Harrisburg. There are no overhead wires; they are underground.

Mr. HELM. I was only using it as an example, sir. What I would like to know is, if the wires ran overhead, would they have to have a permit for every wire that crossed Second Street in Harrisburg?

Mr. COMER. No, they would not.

Mr. HELM. Will the gentleman tell me on what authority he answers that way?

Mr. COMER. For the information of the gentleman, Mr. Speaker, if you are going outside of Harrisburg in a rural section, you will find on each side of the highway, as you say, poles with feeder lines. They furnish service on each side, there would not be an occasion to run across the highway.

Mr. HELM. I expect to get out in the rural areas in a minute, but on this particular question I would like to confine it to the city of Harrisburg or some similar urban area.

Mr. COMER. Then, in other words, Mr. Speaker, you say the question the gentleman raised last week is, if an additional wire was to be run in would a permit be needed? Is that your question?

Mr. HELM. That is right.

Mr. COMER. I would say no.

Mr. HELM. Will the gentleman look at Section 1502 and follow me as I read: "Permits for utility facilities (a) the consent of the Secretary evidenced by a permit shall be required in advance of any of the following: "(1) construction or removal of utility facilities longitudinal to and transverse with in on or over a highway.

Does not that wording mean that every one that crossed over Second Street in Harrisburg conceivably would have to have a special permit?

Mr. COMER. There are no wires cross over, Mr. Speaker.

Mr. HELM. I am fully aware of that, Mr. Speaker.

Mr. COMER. Let us take another section, Mr. Speaker, where they do not run over the highway.

Mr. HELM. All right, let us take any other town where the wires do go over the highway.

Mr. COMER. Take any other town.

Mr. HELM. Would they be required to get a permit from the Secretary of Highways before they could run a wire across the highway?

Mr. COMER. Mr. Speaker, I am trying to explain this fact to the gentleman.

Mr. HELM. I am waiting, Mr. Speaker. I would be glad to have the information.

Mr. COMER. Does the gentleman use as an example one wire or one line, or is he inquiring about a totally new construction?

Mr. HELM. I am talking about any wires. If the poles of a utility company go up the right-hand side of the street, as they may, and every house on the left hand side of the street would have to have a feeder line across to their house, I say to you, under this bill, every feeder line would have to have a permit from the Secretary of Highways.

Mr. COMER. These lines are existing that the gentleman is talking about; they are only making additions. In other words, they would be running service lines to a customer.

Mr. HELM. Now let us assume a new housing development is put up on the left-hand side of the street and the wires are on the other side of the street, and you want to run wires over to the houses on the other side of street. Would you be required to get a permit for every wire?

Mr. COMER. No.

Mr. HELM. Will the gentleman tell me why they would not be?

Mr. COMER. This section is existing law. This is part of the 1945 Highway Act, existing law. Where an additional line is run for service it has never been required.

Mr. HELM. Does not the wording of this section require it?

Mr. COMER. Well then, would you go to the wording in a section of the 1945 Act?

Mr. HELM. I am not discussing the 1945 Act; I am discussing House Bill No. 1702.

Mr. COMER. Well, this is taken without substantial change from the same section of 1945.

Mr. HELM. Will the gentleman answer my question as to whether or not the Secretary of Highways could require a permit to be granted for each wire crossing over the highway?

Mr. COMER. If such a thing was needed and it was new construction, yes.

Mr. HELM. Thank you.

Mr. COMER. If it was crossing the highway, which they do not do.

Mr. HELM. Let us suppose now that an electrical or telephone company has two poles on opposite sides of the highway but located on private right-of-way, they are off the highway right-of-way. Under the present law does the company have to get a permit for the wire running between the two poles?

Mr. COMER. Across the highway?

Mr. HELM. That is right.

Mr. COMER. Yes, they would have to get a permit.

Mr. HELM. The gentleman is completely wrong on that. Under your present law a permit is needed only if a pole is located on highway property.

Mr. COMER. Would the gentleman show me that section?

Mr. HELM. Well, that is present law. I do not have the present law with me, but I went to the trouble to look it up.

Are there any limitations imposed on the Secretary's powers to grant or refuse a permit under this bill?

Mr. COMER. Yes.

Mr. HELM. Would the gentleman show me where those limitations are?

The SPEAKER. The Chair has been wondering whether the gentleman from Armstrong could substantiate his position by a direct attack rather than through a prolonged interrogation?

Mr. HELM. Mr. Speaker, I am only trying to get the gentleman to explain to us what the bill does. I think I gave the gentleman a sufficient amount of time.

I tried to debate this bill two weeks ago, I believe it was, at which time I brought out part of the same questions, I feel as though the gentleman—I do not want to embarrass him—but, I am fully aware that he, like myself, does not understand the power in this bill invested in the Secretary of Highways, and that is my reason for following this particular line of questioning.

The SPEAKER. The gentleman has been in the Chair very often and so I can grant to him such discretion as he may deem proper and follow any procedure that he sanction were he in the Chair.

Mr. HELM. I thank the gentleman, and I am in sympathy with the Chair because I know how anxious he is

to get along with the calendar, but I do believe that some of these questions are important. I will ask two or three more questions, Mr. Speaker, as quickly as possible, and then I will get off the bill entirely and let us take it to a vote.

Let us turn to Section 1804, page 72. This particular section says that when the Department builds or repairs a highway running through land under the control of another state department, the other department has to pay the costs if it has the money to do so.

Let us take as an example, Route 153 in Clearfield County. I do not know whether the gentleman from Clearfield is in his seat or not but I am sure he knows where the road from Clearfield to Pennfield is, a distance of about 19 miles. Most of the distance it runs through state forest lands. Under the bill, if this road were being constructed now, would the Department of Forests and Waters have to pay for it?

Mr. COMER. As far as your example—

Mr. HELM. The gentleman admits then that the Department of Forests and Waters would have to pay for the construction of that road?

Mr. COMER. If they had the money.

Mr. HELM. Would they have to also, then Mr. Speaker, pay for all the repairs to the road in the future?

Mr. COMER. If the funds are available, Mr. Speaker.

Mr. HELM. I thank the gentleman.

Why should they have to, Mr. Speaker, if the road is used for other purposes as it is? I have traveled over this particular road many, many times and I was not there for the purpose of looking over the state forests or for recreation. Most of the traffic that goes over that road is by people who are moving from Clearfield and St. Marys and other communities in that area, regular highway users.

The Minority Whip just informs me that he travels that road nearly every week on his way home, and he is not there for recreation purposes. Therefore, the Department of Forests and Waters would have to pay the construction, repairs and maintenance of that particular section of the road.

I believe the gentleman has answered my question by answering yes to every one of the questions.

Now I have another very important point I would like to bring out here. Sections 1901 and 1902 on pages 72 and 73 give the Commonwealth assents to all acts of Congress providing Federal highway aid, including any such acts that Congress may pass in the future as well as those already passed.

The point I would like to raise here is this. One such act of Congress has already passed which provides for a Federal aid bonus of one-half of one percent of the state's allotted share if the state excludes billboards within 660 feet on any state highway system. Now do not Sections 1901 and 1902 automatically give consent to such exclusion?

Mr. COMER. I would say, no, Mr. Speaker.

Mr. HELM. Mr. Speaker, as I read the bill, I believe it would give automatic consent and would bring to nothing bills such as House Bill 317 which this House passed after amending and re-amending it. I think it gives to the Secretary of Highways the right to assent or agree to these acts of Congress, all acts of Congress.

Mr. COMER. I find it hard to agree with the gentleman, Mr. Speaker, on the section dealing with that.

Mr. HELM. Well, apparently the gentleman does not agree with the wording of the bill.

Mr. Speaker, I am not going to extend the interrogation any longer. I believe that the Chairman of the Highway Committee is as confused over the bill as I am, and, I am sure must be as confused as most of the Members of this House concerning this bill.

I hesitate to ask the Members on this side of the House to vote against the bill, but in this particular case, as I said earlier, I have always been opposed and I have tried on many occasions to have a bill passed in this House during past sessions, when I have served here giving this Legislature the right to approve or disapprove the budget of the Secretary of Highways, taking away some of the authority that he presently has. We give to the Secretary of Highways in this Commonwealth actually a blank check to do with as he desires, and I say to you under House Bill 1702 we are not only giving him a blank check, we are giving him a blank check so far as powers are concerned. We are giving him additional super dictatorial powers to do with as he sees fit, and I say to you that anyone in government that is given that right, that type of power, we have something to worry about in our government.

Therefore, I think that we should defeat this bill and and let us give this matter some very, very serious study.

Mr. COMER. Mr. Speaker, during this entire interrogation I believe Mr. Helm has tried to place in the bill many things that are not there. Many of the provisions of this bill are existing law, and, if this bill should go down in defeat, the power would still be retained by the Secretary which he enjoys today. Most of the provisions of this bill are existing law and have been on the books since 1945 under both Republican and Democratic Administrations, and I feel that many parts are needed. They have been adopted. They have been recommended by a very good foundation and have been adopted in other states in this country. I think past performance of the present Secretary, and I presume it would be true of succeeding secretaries, indicates they were fine gentlemen. Therefore I think it is a good bill.

There are some sections where not all of us understand a bill of this type; it is hard to understand. Many parts you go over many times. What Mr. Helm tried to place in this bill are different sections that actually were not there.

I ask the Members of both sides of the House to vote for the bill.

Mr. GAILEY. Mr. Speaker, it seems to me a shame that a bill as important as this is in enabling the Secretary of Highways to carry out his duties properly should be defeated by the harping and, it seems to me somewhat tricky questioning of the gentleman from Armstrong, Mr. Helm.

Let us examine for just a few moments a few of the items on which he has attempted to place, I think, a completely different light than the facts actually warrant. Let us take the question of qualification of bidders. Under our present law there is no legislative intent whatsoever as to what the qualifications of bidders shall be. The Secretary has free rein in his administrative powers to set up those qualifications, and yet in this bill we are at least setting forth some clear guideposts by which the Secretary properly shall determine whether bidders are qualified or not. Certainly the gentleman would not stand

up and say that no standard should be set up whatsoever. Of course there should be. I think he will also agree that in a field this broad it is impossible to state with completeness the qualifications that can arise in any given set of circumstances.

Let us take the questioning about condemnation proceeding. Will the gentleman have us believe the Commonwealth should pay out of its tax money to someone whose land has been condemned but never used, and which the state subsequently revoked or changed its mind about using? Will he have us pay out tax money for damages where no damages have occurred whatsoever? I think not.

Let us take the question about public utilities. I think the gentleman from Armstrong is correct in saying that the Secretary of Highways must grant a permit for location of utility lines across or under state highways, and properly so. For Heaven's sake, we cannot grant the public utilities free rein in stringing their power lines at whatever heights they choose and in whatever manner they choose across our public highways. Of course some standards must be set up in order to effectively regulate power lines on our state highways. The granting of a permit is obviously the best way to do it. I say this is a quite proper exercise of his office in this manner.

I say once again I think it a shame if we would let ourselves be confused as to the purposes and intent of this bill by the kind of interrogation that we have had here today, and I hope all Members of the House on both sides vote favorably on this bill.

Mr. SCHWARTZ. Mr. Speaker, I am not too terribly familiar with most of the sections of this highway bill, but I am familiar with the sections that deal with condemnation and acquisition of property. They take up some 10 pages of this particular bill, and I say to you and the Members of this House that they are eminently fair; if anything, they are an improvement over the right of condemnation which existed under the 1945 act. I say that it gives adequate protection to the public. Of course, it may lead to some sacrifices and some hardship to some property owner, or the farmer, for instance, that Mr. Helm referred to earlier. But you want to remember that the Commonwealth is sovereign. The Commonwealth always has the right to condemn, and through the years this has been lessened. Certain benefits have been given to the citizens of our Commonwealth.

If the gentleman will read the entire ten pages rather than picking out one little item and then twisting it, he will realize that the section is a very, very fair section and that it gives protection throughout. Certainly there are going to be sacrifices; certainly there are going to be hardships. This is the same type of condemnation which exists down in Philadelphia County and has existed for years. There are boards of view set up, there are appeals to the courts set up, there are provisions for adequate compensation. I say to you that this certainly is a very fair section of this particular bill.

Mr. HELM. I am not going to prolong this any further, but I certainly cannot let the gentleman from York, Mr. Gailey, refer to my line of questioning as "tricky questions." I am not a member of the Bar and I thought that right was reserved for attorneys.

I also cannot let the gentleman from Philadelphia, Mr. Schwartz, get away with saying that the Commonwealth

is sovereign in a case such as this. I believe the people are sovereign. I believe we should worry more about how the people are being treated than worrying about the Commonwealth, because who else is the Commonwealth except the people who are in it? I think the farmer is a citizen of this great Commonwealth. He should have proper protection in the condemnation or taking of his property, as every other citizen should.

I am perfectly happy, Mr. Speaker, to let this go to a vote. I again appeal to the Members on my side, and hope they all vote against the enactment of 1702.

Mr. SCHWARTZ. Like the gentleman from Armstrong, I just cannot let his remarks stand unanswered either.

I am surprised, with all the years of experience he has had in the House and as Speaker, to hear him say the Commonwealth is not a sovereign. It is simply amazing to me. He is certainly a student of political science and should know that the Commonwealth is, in fact, a sovereign. I do not want to go into it, Mr. Speaker. I did not mean anything derogatory to the gentleman, but I think he knows to what I was referring.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—92

Anderson,	Gallagher,	Maxwell,	Riley,
Balthaser,	Garlock,	Meholchick,	Rovansek,
Bonner,	Gelfand,	Mills,	Rudisill,
Branca,	Hamilton,	Monroe,	Sakulsky,
Breth,	Holt,	Muldowney,	Scarcell,
Burns,	Irvs,	Mullen,	Schaaf,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Schuster,
Cianfrani,	Jim,	Murray, J. J.,	Schwartz,
Cioffi,	Jones, F. R.,	Musto,	Sherman,
Clarke,	Kamyk,	Needham,	Shupnik,
Crossin,	Kornick,	Nelson,	Silverman,
Curwood,	Kovolenko,	O'Donnell, J. A.,	Snider,
Devlin,	Leonard,	O'Donnell, J. P.,	Stone,
Dougherty,	Limper,	O'Neil,	Sullivan,
Elberg,	Lopresti,	Parlante,	Varallo,
Farabaugh,	Luigard,	Perry, H. H.,	Verona,
Filo,	Lutty,	Perry, P. E.,	Walsh,
Fineman,	McCann,	Petrosky,	Wargo,
Floyd,	McCormack,	Polaski,	Wheeler,
Flynn,	McDonald,	Polen,	Yatron,
Frank,	McKeever,	Prendergast,	Yetter,
Frascella,	McLaughlin,	Reibman,	
Foerster,	Machmer,	Renwick,	Andrews,
Gailey,			Speaker

NAYS—90

Agnew,	Fox,	Kooker,	Rigby,
Ashton,	Fulmer,	Korns,	Royer,
Auker,	George,	Kubitsky,	Seltzer,
Barton,	Gibb,	Lee, A. M.,	Snare,
Bell,	Goldstein,	Lee, K. B.,	Steckel,
Blair,	Goodrich,	Lippincott,	Stevens,
Boris,	Gramlich,	McCandless,	Stewart,
Bower,	Guthrie,	McInroy,	Stoner,
Bowman,	Heffner,	Mahan,	Strausser,
Brenninger,	Helm,	Markley,	Stroup,
Brown,	Henzel,	Merry,	Tompkins,
Buchanan,	Hocker,	Miller, B. Z.,	Ujobai,
Comer,	Holliday,	Miller, H. G.,	Wall,
Davis,	Horst,	Murphy, P. J.,	Weldner,
Dengler,	Isaacs,	Murray, H. P.,	Williams, A. D., Jr.,
Dennison,	Johnson, R.,	Murray, P. G.,	Williams, E. S.,
Donaldson,	Jones, T. H. W.,	O'Dell,	Willard,
Down,	Jump,	Odorisio,	Willaredt,
Edwards,	Kee,	Ogilvie,	Wood,
Eshback,	Kelser,	Pashley,	Worley,
Eshleman,	Kernaghan,	Price,	Wynd,
Ewing,	Kessler,	Pursley,	Zimmerman,
Fetterolf,	Knecht,		

NOT VOTING—26

Arlene,	Johnson, A. W.,	Naugle,	Trusio,
Boles,	Lamb,	Reidenbach,	Varner,
Capano,	Light,	Stank,	Welsh,
Cooper,	Magee,	Stimmel,	Wescott,
Dennis,	Mihm,	Taylor,	Whittaker,
Donahue,	Moran,	Thompson,	Wilt,
Heavy,	Munley,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. McCORMACK. Mr. Speaker, I am very much disturbed by the vote that was just announced. I feel that I would be less than fair if I did not say that the primary reason for the failure was the fact that the party has not accepted the responsibility thrust upon it by the people. It was chronic absenteeism on the part of the Members of this House, and I think you will recall very clearly, in a recent statement by the Speaker of this House, he said, we have a contract with the Commonwealth and we certainly have defaulted on this contract.

I think steps should be immediately taken to see that those Members who are chronically absent should fulfill their contractual and moral obligations and stay in the House so that we can get a fair vote on all the legislation that is to be presented to this House before we adjourn sine die.

Mr. SCHAAF. I desire to make a very brief interrogation of the previous speaker.

The SPEAKER. The Chair hears no objection.

Mr. SCHAAF. Mr. McCormack, will you inform the membership of the House whether you were present in the Hall of the House yesterday?

Mr. McCORMACK. I most certainly was. The gentleman will check the record and will see that.

Mr. SCHAAF. And the week before, were you here every day, sir?

Mr. McCORMACK. I would have to check the record. But I am not apologizing for myself. If you want to blame me, you certainly can. I realize it full well today.

Mr. SCHAAF. I would suggest, Mr. Speaker, that he is embarrassing people in this House, myself excluded.

Mr. McCORMACK. I am embarrassing myself perhaps but nevertheless the fact should be known and if I am a guilty party, I stand responsible because I have also breached the contract.

The SPEAKER. Absenteeism not only embarrasses the Chair, not only embarrasses the Majority and Minority Leaders, absenteeism tends to downgrade the Legislative responsibility and the integrity of this House. The Chair hopes the time will come when Members will realize that when the Legislature is in Session the only job they have which they should give their attention to is the job of being a Legislator.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House bill No. 1906, Printer's No. 1641, and Senate Bill No. 375, Printer's No. 1403 were passed over at the request of Mr. McCANN.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, entitled:

An Act relating to sewage and water facilities in realty subdivisions imposing duties on recorders of deeds granting powers to and imposing duties upon the Department of Health and its designated representatives and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. LOPRESTI asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, 1st line of Title, by striking out "Relating" and inserting "Requiring the approval of plans, maps or plots relating."

Amend Bill, page 3, by inserting between lines 13 and 14: "Section 4. No person shall offer or cause to be offered for recording to any recorder of deeds or commissioner of records any map or plot showing a subdivision of land unless there is endorsed thereon or annexed thereto a certificate of the department or its designated representative approving sewage and water systems proposed to be installed for the subdivision."

Amend Sec. 4, page 3, line 14, by striking out "4" and inserting "5."

Amend Sec. 5, page 4, line 1, by striking out "5" and inserting "6."

Amend Sec. 6, page 4, line 4, by striking out "6" and inserting "7."

Amend Sec. 6, page 4, line 5, by inserting after "provisions" "of section three or section four."

Amend Sec. 7, page 4, line 11, by striking out "7" and inserting "8."

Amend Sec. 8, page 4, line 18, by striking out "8" and inserting "9."

Amend Sec. 9, page 5, line 8, by striking out "9" and inserting "10."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1152, Printer's No. 1584; House Bill No. 1161, Printer's No. 1375; House Bill No. 1340, Printer's No. 1631; and House Bill No. 1473, Printer's No. 1618 were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1505, entitled:

An Act amending the act of April 6, 1951 (P. L. 68), entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed * * *" defining standards for issuance of an injunction for enjoining the operation of establishments not licensed theretofore.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Lopresti.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill provides that in case an institution, subject to licensing by the Department of Welfare, does not have that license, that they may summarily go into court and obtain an injunction forthwith merely because of the failure to have such license. Is that right?

Mr. LOPRESTI. That is correct.

Mr. TOMPKINS. Now what provision is in the bill that once the temporary injunction is issued for the procedure by which that may be corrected? Is there any further hearing before the courts decide on it?

Mr. LOPRESTI. I did not get the question.

Mr. TOMPKINS. Once the temporary injunction is forthwith issued, what further proceedings are there before the court?

Mr. LOPRESTI. I would believe that once a temporary injunction is issued that the matter is then within the control of the court and the court would then take whatever action is necessary in the future either to dissolve the injunction or make it permanent, but the matter rests with the court, the court having accepted jurisdiction.

Mr. TOMPKINS. Well, the bill does not provide for the proceedings beyond the issuance of the temporary injunction.

Mr. LOPRESTI. I believe that it would be just a matter of the courts own initiative to either proceed to make the injunction permanent or dissolve the injunction, which would necessarily follow by the nature of the proceeding.

Mr. TOMPKINS. That may be very true but should there not be some further relief to the institutions set forth in here? The only relief they could have is to get the license.

Mr. LOPRESTI. I would not say that is the only relief but certainly they would not be permitted to operate without a license, and the temporary injunction would continue and become permanent if they do not secure a license.

Mr. TOMPKINS. Well, the bill does not say that however.

Mr. LOPRESTI. Well that would necessarily follow from the fact that the court has assumed jurisdiction. Naturally, the court would not leave it standing in the air. It must take further proceeding. The matter has been before the court for final determination.

Mr. TOMPKINS. That is all, Mr. Speaker.

This bill provides that a person or an institution operating without a license from the Welfare Department, that the Welfare Department can merely on that allegation go into court and obtain a temporary injunction. It does not provide for anything beyond that or what further relief they may have. I do not like to vote for legislation that abruptly stops some place and does not give a person the opportunity to know where they can go from there. It does not say that the court can proceed and make it permanent. It does not say that it can cure it by securing a license or anything else. It does not provide for a hearing. It does not provide any of those things. At least there should be some provision in the bill that the court may follow through by whatever procedures may be provided, and for that reason, as well as the reason I do not like to give that power to the Welfare Department, I am going to vote against this bill.

Mr. LOPRESTI. Mr. Speaker, that authority is not summarily to the Department. It is given to the court.

Under section 2 of the bill, it provides further that the court may issue a temporary restraining order or injunction under the act, and then provides for an appeal from any final decision of such court to the superior or supreme court as in similar cases. Where the temporary order is issued, the court, under section 2, has within its power to proceed to a final decision and then appeal to the supreme or superior court as is contained in that section of the bill. It merely provides that a court may, where there is no license, issue this temporary order immediately.

Mr. BOWMAN. Mr. Speaker, the power of injunction is a powerful remedy. It is one of the most powerful remedies known to the law. This bill gives the Department of Welfare the power of temporary injunction against persons who are not licensed. With that particular point I have no argument. I do, however, have strong argument against the absence of protection in this bill for the person against whom the injunction is issued. I know of no other law in this Commonwealth which does not require the court, after temporary injunction has been given, to hold a permanent hearing. In most cases, the statute says, within five days.

This particular bill is sound on that point.

If you apply that to a case, let us look at it and see what the result might be. I agree with the gentleman from Cambria County, Mr. Lopresti, that the court properly would have to proceed to determine the case and the appeals as provided for in the bill yes, here a temporary injunction is given ex parte. That means without notice or an opportunity to defend against the person in this particular injunction.

Under normal court procedure, the statute is sound as to how soon a hearing must be held on a temporary injunction. A person could have that temporary injunction outstanding against him for months, perhaps half a year, or more in some cases, depending upon how busy the court is, for a year. That is what I object to in this bill. If this bill were amended to require a temporary hearing within a limited time, I could support the bill. In its present form, I cannot.

Mr. LOPRESTI. Mr. Speaker, I further want to call attention to the language on page 2, line 13, "but shall determine such action on its merits as soon as possible whether in term or in vacation."

The only thing that this bill does is to provide that where a man is operating without a license, the temporary order shutting him down, because he is operating without a license, can be issued immediately, and then as soon as the institution is closed down all of the other things which are in order will take place, but certainly we should not permit an unlicensed operation to continue pending an appeal to the supreme or superior court or pending hearing in the matter.

Where the institution is conducting some unauthorized activity and still may be licensed, then the court may or may not issue the temporary injunction, but that is for unauthorized activity other than operating without a license. It is only in the case where they are operating without a license that a temporary order is issued immediately and certainly if we are to have a license law, we should not permit anybody to operate without a license. That in itself should be enough to stop them immediately.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Agnew,	Gailey,	Mahan,	Riley,
Anderson,	Gallagher,	Markley,	Rovansek,
Auker,	Garlock,	Maxwell,	Rudisill,
Balthaser,	Gelfand,	Meholchick,	Sakulsky,
Blair,	Gibb,	Miller, H. G.,	Scarcelli,
Bonner,	Goldstein,	Mills,	Schaaaf,
Branca,	Hamilton,	Monroe,	Schuster,
Breth,	Heavey,	Muldowney,	Schwartz,
Burns,	Holt,	Mullen,	Sherman,
Capitolo,	Irviss,	Murphy, A. J., Jr.,	Shupnik,
Cianfrani,	Jenkins,	Murray, J. J.,	Silverman,
Cioffi,	Jim,	Musto,	Snider,
Clarke,	Jones, F. R.,	Needham,	Stank,
Comer,	Jones, T. H. W.,	Nelson,	Stone,
Crossin,	Kamyk,	O'Donnell, J. A.,	Stroup,
Curwood,	Kornick,	O'Donnell, J. P.,	Sullivan,
Dennison,	Kovolenko,	O'Neill,	Truslo,
Devlin,	Leonard,	Parlante,	Varallo,
Dougherty,	Limper,	Pashley,	Verona,
Ellberg,	Lopresti,	Perry, H. H.,	Walsh,
Farabaugh,	Luigard,	Perry, P. E.,	Wargo,
Filo,	Lutty,	Petrosky,	Wheeler,
Fineman,	McCann,	Polaski,	Worley,
Floyd,	McCormack,	Polen,	Yatron,
Flynn,	McDonald,	Prendergast,	Yetter,
Foerster,	McKeever,	Reibman,	
Frank,	McLaughlin,	Reidenbach,	Andrews,
Frascella,	Machmer,	Renwick,	Speaker

NAYS—78

Ashton,	Fulmer,	Korns,	Seltzer,
Barton,	George,	Kubitsky,	Snare,
Bell,	Goodrich,	Lee, A. M.,	Steckel,
Boris,	Gramlich,	Lee, K. B.,	Stevens,
Bower,	Guthrie,	Lippincott,	Stewart,
Bowman,	Heffner,	McCandless,	Stoner,
Brenninger,	Helm,	McInroy,	Strausser,
Brown,	Henzel,	Merry,	Tompkins,
Buchanan,	Hocker,	Miller, B. Z.,	Ujobai,
Davis,	Holliday,	Murphy, P. J.,	Wall,
Dengler,	Horst,	Murray, H. P.,	Weidner,
Donahue,	Isaacs,	Murray, P. G.,	Wescott,
Donaldson,	Johnson, R.,	O'Dell,	Williams, A. D. Jr.,
Down,	Jump,	Odorisio,	Williams, E. S.,
Edwards,	Kee,	Ogilvie,	Willard,
Eshback,	Kelser,	Price,	Willardt,
Ehleman,	Kernaghan,	Pursley,	Wood,
Ewing,	Kessler,	Rigby,	Worley,
Fetterolf,	Knecht,	Royer,	Wynd,
Fox,	Kooker,		Zimmerman,

NOT VOTING—20

Arlene,	Johnson, A. W.,	Moran,	Thompson,
Boles,	Lamb,	Munley,	Varner,
Capano,	Light,	Naugle,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill 1563, Printer's No. 1619; and

House Bill No. 1592, Printer's No. 1598

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300), entitled as amended "An act providing for compliance with Federal law and the approval of certain institutions * * *" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Gailey,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Shupnik,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Buchanan,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Mullen,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stone,
Cioffi,	Irviss,	Murphy, P. J.,	Stoner,
Clarke,	Isaacs,	Murray, H. P.,	Strausser,
Comer,	Jenkins,	Murray, J. J.,	Stroup,
Crossin,	Jim,	Murray, P. G.,	Sullivan,
Curwood,	Johnson, A. W.,	Musto,	Tompkins,
Davis,	Johnson, R.,	Naugle,	Truslo,
Dengler,	Jones, F. R.,	Needham,	Ujobai,
Dennison,	Jones, T. H. W.,	Nelson,	Varallo,
Devlin,	Jump,	O'Dell,	Varnier,
Donahue,	Kamyk,	O'Donnell, J. A.,	Verona,
Donaldson,	Kee,	O'Donnell, J. P.,	Wall,
Dougherty,	Kelser,	Odorisio,	Walsh,
Down,	Kernaghan,	Ogilvie,	Wargo,
Edwards,	Kessler,	O'Neill,	Weidner,
Ellberg,	Knecht,	Parlante,	Wescott,
Eshback,	Kooker,	Pashley,	Wheeler,
Eshleman,	Kornick,	Perry, H. H.,	Williams, A. D. Jr.,
Ewing,	Korns,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kovolenko,	Petrosky,	Willard,
Fetterolf,	Kubitsky,	Polaski,	Willardt,
Filo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Lee, K. B.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Luigard,	Renwick,	Andrews,
Frascella,	Lutty,	Rigby,	Speaker

NAYS—1

Brown,

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption" by abolishing the advisory committee on adoption standards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Mills,	Steckel,
Buchanan,	Hocker,	Monroe,	Stevens,
Burns,	Holliday,	Muldowney,	Stewart,
Capitolo,	Holt,	Mullen,	Stone,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Irvis,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Sullivan,
Curwood,	Johnson, A. W.,	Musto,	Tompkins,
Davis,	Johnson, R.,	Naugle,	Trusio,
Dengler,	Jones, F. R.,	Needham,	Ujobai,
Dennison,	Jones, T. H. W.,	Nelson,	Varallo,
Devlin,	Jump,	O'Dell,	Varner,
Donahue,	Kamyk,	O'Donnell, J. A.,	Verona,
Donaldson,	Kee,	O'Donnell, J. P.,	Wall,
Dougherty,	Kelser,	Odorisio,	Walsh,
Down,	Kernaghan,	Ogilvie,	Wargo,
Edwards,	Kessler,	O'Neil,	Weldner,
Ellberg,	Knecht,	Parlante,	Wescott,
Eshback,	Kooker,	Pashley,	Wheeler,
Eshleman,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Korns,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kovolenko,	Petrosky,	Willard,
Fetterolf,	Kubitsky,	Polaski,	Willaredt,
Filo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Lee, K. B.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lulgard,	Renwick,	Andrews,
Frascella,	Lutty,	Rigby,	Speaker

NAYS—1

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Buchanan,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Mul'en,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stone,
Cioffi,	Irvis,	Murphy, P. J.,	Stoner,
Clarke,	Isaacs,	Murray, H. P.,	Strausser,
Comer,	Jenkins,	Murray, J. J.,	Stroup,
Crossin,	Jim,	Murray, P. G.,	Sullivan,
Curwood,	Johnson, A. W.,	Musto,	Tompkins,
Davis,	Johnson, R.,	Naugle,	Trusio,
Dengler,	Jones, F. R.,	Needham,	Ujobai,
Dennison,	Jones, T. H. W.,	Nelson,	Varallo,
Devlin,	Jump,	O'Dell,	Varner,
Donahue,	Kamyk,	O'Donnell, J. A.,	Verona,
Donaldson,	Kee,	O'Donnell, J. P.,	Wall,
Dougherty,	Kelser,	Odorisio,	Walsh,
Down,	Kernaghan,	Ogilvie,	Wargo,
Edwards,	Kessler,	O'Neil,	Weldner,
Ellberg,	Knecht,	Parlante,	Wescott,
Eshback,	Kooker,	Pashley,	Wheeler,
Eshleman,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Korns,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kovolenko,	Petrosky,	Willard,
Fetterolf,	Kubitsky,	Polaski,	Willaredt,
Filo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Lee, K. B.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lulgard,	Renwick,	Andrews,
Frascella,	Lutty,	Rigby,	Speaker

NAYS—1

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise * * * transferring functions from the State Council for the Blind to the Department of Public Welfare.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansck.
Arlene,	Garlock,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelll,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Brown,	Hocker,	Monroe,	Steckel,
Euchanan,	Holliday,	Muldowney,	Stevens,
Burns,	Holt,	Mullen,	Stewart,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stone,
Cianfrani,	Irlvis,	Murphy, P. J.,	Stoner,
Cloff,	Isaacs,	Murray, H. P.,	Strausser,
Clarke,	Jenkins,	Murray, J. J.,	Stroup,
Comer,	Jim,	Murray, P. G.,	Sullivan,
Crossin,	Johnson, A. W.,	Musto,	Tompkins,
Curwood,	Johnson, R.,	Naugle,	Trusio,
Davis,	Jones, F. R.,	Needham,	Ujobai,
Dengler,	Jones, T. H. W.,	Nelson,	Varallo,
Dennison,	Jump,	O'Dell,	Varnar,
Devlin,	Kamyk,	O'Donnell, J. A.,	Verona,
Donahue,	Kee,	O'Donnell, J. P.,	Wall,
Donaldson,	Keiser,	Odorislo,	Walsh,
Down,	Kernaghan,	Ogilvie,	Wargo,
Dougherty,	Kessler,	O'Neil,	Weldner,
Edwards,	Knecht,	Parlante,	Wescott,
Ellberg,	Kooker,	Pashley,	Wheeler,
Eshback,	Kornick,	Perry, H. H.,	Williams, A. D. Jr.,
Eshleman,	Korns,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kovolenko,	Petrosky,	Willard,
Farabaugh,	Kubitsky,	Polaski,	Willaredt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	
Frank,	Lutty,	Rigby,	
Frascella,			

Andrews,
Speaker

NAYS—0

NOT VOTING—16

Botes,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P. L. 90), authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Bill, page 4, by inserting between lines 8 and 9:

"Section 2. Clause (5) of section 492 of the act, amended July 3, 1957 (P. L. 475), is amended to read:"

"Section 492. Unlawful Acts Relative to Malt or Brewed Beverages and Licensees.—"

"It shall be unlawful—"

* * *

"(5) Sales of Malt or Brewed Beverages by Hotels, Eating Places or Public Service Licensees During Prohibited Hours. For any hotel or eating place holding a retail dispenser's license, or any malt or brewed beverage public service licensee, or the servants, agents or employes of such licensees, to sell, trade or barter in malt or brewed beverages between the hours of [twelve o'clock midnight or any Saturday] two o'clock antemeridian of any Sunday and seven o'clock in the forenoon of the following Monday, or between the hours of two o'clock antemeridian and seven o'clock antemeridian of any week day."

"Any licensee holding a retail dispenser license or a malt or brewed beverage public service license may, by giving notice to the board, advance by one hour the hours herein prescribed as those during which malt or brewed beverages may be sold during such part of the year when daylight saving time is being observed generally in the municipality in which the place of business is located. Any licensee who elects to operate his place of business in accordance with daylight saving time shall post a conspicuous notice in his place of business that he is operating in accordance with daylight saving time."

* * *

Amend Sec. 2, page 4, line 9, by striking out "2" and inserting: "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

House Bill No. 2090, Printer's No. 1118 and

House Bill No. 2093, Printer's No. 1585

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2106, entitled:

An Act to regulate and control the distribution, sale or offering for sale, of all bread wrapped or unwrapped conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto prescribing penalties for violations thereof and repealing inconsistent laws.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. FARABAUGH. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries.

The motion was agreed to.

BILLS PASSED OVER

There being no objection,

House Bill No. 2108, Printer's No. 1604;

House Bill No. 2120, Printer's No. 1400 and

House Bill No. 2170, Printer's No. 1599

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2181, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovanssek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Brown,	Hocker,	Monroe,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stevens,
Burns,	Holt,	Mullen,	Stewart,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Iris,	Murphy, P. J.,	Stoner,
Cloff,	Isaacs,	Murray, J. J.,	Strausser,
Clarke,	Jenkins,	Murray, H. P.,	Stroup,
Comer,	Jim,	Murray, P. G.,	Sullivan,
Crossin,	Johnson, A. W.,	Musto,	Tompkins,
Curwood,	Johnson, R.,	Naugle,	Trusio,
Davis,	Jones, F. R.,	Needham,	Ujobai,
Dengler,	Jones, T. H. W.,	Nelson,	Varallo,
Dennison,	Jump,	O'Dell,	Varner,
Devlin,	Kamyk,	O'Donnell, J. A.,	Verona,
Donahue,	Kee,	O'Donnell, J. P.	Wall,
Donaldson,	Keiser,	Odoislo,	Walsh,
Dougherty,	Kernaghan,	Oglivie,	Wargo,
Down,	Kessler,	O'Neil,	Weidner,

Edwards,	Knecht,	Parlante,
Eilberg,	Kooker,	Pashley,
Eshback,	Kornick,	Perry, H. H.,
Eshleman,	Korns,	Perry, P. E.,
Ewing,	Kovolenko,	Petrosky,
Farabaugh,	Kubitsky,	Polaski,
Fetterolf,	Lee, A. M.,	Polen,
Filo,	Lee, K. B.,	Prendergast,
Fineman,	Leonard,	Price,
Floyd,	Limper,	Pursley,
Flynn,	Lippincott,	Reibman,
Foerster,	Lopresti,	Reidenbach,
Fox,	Luigard,	Renwick,
Frank,	Lutty,	Rigby,
Frascella,		

Wescott,
Wheeler,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 2273, Printer's No. 1564

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2302, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) further regulating cash sales of milk on farms.

On the question,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 402), page 4, line 4, by inserting a bracket after "producers."

Amend Sec. 1 (Sec. 402), page 4, line 5, by striking out the bracket after "consumer."

Amend Sec. 1 (Sec. 402), page 4, line 6, by inserting after "sold" "and such milk has at no time left the producer's farm prior to its sale to the consumer."

Amend Sec. 1 (Sec. 402), page 4, line 8, by striking out "do not" and inserting "neither."

Amend Sec. 1 (Sec. 402), page 4, line 9, by striking out "or" and inserting "nor."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2319, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Brown,	Hocker,	Monroe,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stevens,
Burns,	Holt,	Mullen,	Stewart,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stone,
Cianfrani,	Irvls,	Murphy, P. J.,	Stoner,
Cioffi,	Isaacs,	Murray, H. P.,	Strausser,
Clarke,	Jenkins,	Murray, J. J.,	Stroup,
Comer,	Jim,	Murray, P. G.,	Sullivan,
Crossin,	Johnson, A. W.,	Musto,	Tompkins,
Curwood,	Johnson, R.,	Naugle,	Trusio,
Davis,	Jones, F. R.,	Needham,	Ujobai,
Dengler,	Jones, T. H. W.,	Nelson,	Varallo,
Dennison,	Jump,	O'Dell,	Varner,
Devlin,	Kamyk,	O'Donnell, J. A.,	Verona,
Donahue,	Kee,	O'Donnell, J. P.,	Wall,
Donaldson,	Keiser,	Odoristo,	Walsh,
Dougherty,	Kernaghan,	Ogilvie,	Wargo,
Down,	Kessler,	O'Neill,	Weidner,
Edwards,	Knecht,	Parlante,	Wescott,
Eilberg,	Kooker,	Pashley,	Wheeler,
Eshback,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kovolenko,	Petrosky,	Willard,
Farabaugh,	Kubitsky,	Polaski,	Willaredt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	
Frank,	Lutty,	Rigby,	Andrews,
Frascella,			Speaker

NAY—0

NOT VOTING—16

Boies,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission * * * authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out "permanent."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. TOMPKINS. Mr. Speaker, I would like to ask Mr. McCann to explain these amendments.

Mr. McCANN. I apologize. I thought Mr. Lopresti gave Mr. Tompkins a copy of the amendments. They strike out the word "permanent" in the proposed legislation.

On the question recurring,

Will the House agree to the amendment.

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2360, entitled:

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WEIDNER. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. WEIDNER. Mr. Speaker, I would like to ask the Majority Leader to turn to page 2 of this bill. In line 3, Section 6, the words are, "The board may license without examination" and then from there, it goes on from lines 4 to 10 inclusive and that whole paragraph states that it refers, apparently, to those out-of-state that may be licensed without any further examination. Is that correct?

Mr. McCANN. That is not correct. That is the existing law that you passed and adopted and it is now law, if

you refer to page 2, the question that you asked me, and if I understood you correctly.

Mr. WEIDNER. But that entire section there refers entirely to those coming from out of state into Pennsylvania, is that right?

Mr. McCANN. That is not correct.

Mr. WEIDNER. Well it certainly states there that, "a graduate of an approved school for the training of practical nurses in any other state territory province or country who has completed a course of study in practical nursing considered by the board to be equivalent to that required in this Commonwealth and who was licensed in such state, territory" and so forth, refers entirely to that particular group.

Mr. McCANN. Mr. Speaker, I would like to inform the gentleman, Mr. Weidner from Berks, that he is reading the existing law in Section 6 in the Act of 1956, which is one portion of the section. There is no change. You are reading the existing law that is there and has been there since the date the Act became law.

Mr. WEIDNER. I can agree with you in that, but what I am asking about is does that simply refer only to those coming in from other states or territories?

Mr. McCANN. Well, subsection 1 of Section 6 of the Act of March 2, 1956, Public Law 1211, pertains only to that. That is right.

Mr. WEIDNER. Well, in item 2 there, from lines 11 to 14, inclusive, in that particular wording there, does that refer to practical nurses who have had some education in that respect in this state and will be receiving the same opportunities as those who come from out of state, whereby they will be allowed, or will be receiving, a license without taking an examination?

Mr. McCANN. Subsection 2 of Section 6 of the existing law, in the first four lines there are no changes from what now exists. This is really the section, if you want to interpret it, this is the grandfather clause section, of the Practical Nurses' Act.

Mr. WEIDNER. Then am I to understand that all nurses, all practical nurses who have not taken and passed the State Board examination will be licensed without taking that examination?

Mr. McCANN. You do not understand that nor can you read that in Section 6, Subsection 1, or Section 2 of the bill.

Mr. WEIDNER. Can you tell me just what this refers to as it applies to those nurses who have been educated in, say, commercial or private schools and have not passed the State Board examination? Will they be licensed without taking those examinations?

Mr. McCANN. Mr. Speaker, I will be glad to explain to the gentleman.

Under subsection 2, of Section 6, there were 19,000 who were licensed without examination, and that is what that pertains to.

Mr. WEIDNER. Were licensed without an examination?

Mr. McCANN. That is correct. The applications specifically stated "without examination" under subsection 2 of Section 6 of the Act of March 2, 1956.

Mr. WEIDNER. In what manner then will that apply to those who have not received their license?

Mr. McCANN. If you will go on as you started, in subsection 2, you will finally come to the new material. You are talking about existing law.

Mr. WEIDNER. That will mean then that those who have not taken the State Board examination will be receiving their licenses just the same?

Mr. McCANN. Who took the State Board Examination? No one.

Mr. WEIDNER. Well, up to this time we have a Practical Nurse Board established in the Department of Instruction. Are they not compelled to take the State Board Examination just the same as any other profession?

Mr. McCANN. Mr. Speaker, perhaps I can clear this better by saying to the gentleman that in your county and all the other counties in the Commonwealth, under the Practical Nurses' Act, which is what is in front of you, that we permitted, by the so-called grandfather clause, which is subsection 2 of Section 6, where those applicants who had the experience, which it outlines carefully there, to be licensed without examination. Approximately 19,000 Pennsylvanians did this.

Mr. WEIDNER. The only thing that I am interested in is the fact that I do not think that it is time to let the barriers down now in cases, especially, where it will affect the human beings. I do realize that we have had a number of so-called commercial private schools where these students received a certain amount of training and then were denied the privilege of getting into the hospitals to practice as a practical nurse. Now, if those students who have received just small portion of that training ought to be given a license without any examinations whatsoever, I believe we are just doing the wrong thing. If this bill is to cover that, I am utterly opposed to it. For that reason I am asking you these questions.

Mr. McCANN. Mr. Speaker, the bill does not do that, nor does any part of the bill which is amended do that. If you will check carefully there are two fields of graduates to be licensed in Pennsylvania under the Act of March 2, 1956. We have those who, by experience only, that is the grandfather clause. Then we have those who graduated from a school and took a proper examination. There is no letting down of the bars in either field. That is existing law and has been since March 2, 1956.

Mr. WEIDNER. Mr. Speaker, the only thing I am interested in is that I had the experience several years ago where one of these commercial schools accepted students and gave them a so-called education in practical nursing, which would require but a few weeks of training for which they would receive quite a sum of money, and after these students were supposedly graduated they actually found out that their services were denied when they went to the hospital, with the result that there were quite a number of complaints. I carried that complaint to the Department of Public Instruction, and from what I understand today there are practically none of those schools, but instead there are at the present time 19 schools in public schools plus five in general hospitals that are receiving a year's training and subsidized by the Federal government to the extent of about 90 percent. As I understand these students will now be accepted after they graduate; they are supposed to take an examination, then they will be accepted to operate and perform their duties in the hospital at a salary as fixed by the hospitals.

The only point I am raising at this time is, again let me say that I feel if the practical nurse without the proper training is placed in hospitals we cannot afford to have them perform such duties in connection with

the life of a human being, to place that life at stake because of that condition.

Mr. McCANN. Mr. Speaker, House Bill 2360, Printer's No. 1611, does not have a single thing that the gentleman from Berks stated it does.

Let us look carefully and follow the bill.

"An applicant who has met the requirements herein as to age, character and citizenship and who has been actively engaged in nursing as a practical nurse as herein defined for a period of three years." The other section pertains to those who went to school and do not have any experience.

Why was 2360 introduced? I will tell you exactly why. Here is an act, March 2, 1956, in which yes, I will admit you gave a period of two years for all the applicants who by the grandfather clause have three years of experience to come in without an examination. This does not effect those who graduated from a school in any way, shape or form. They have to take the examination if this bill passes, fails, or anything, but now, I never knew the reason, nor does anyone else, why people do not do things on time. The deadline date was May 31, at midnight. What happened on June 1? One hundred and forty-seven applications arrived in the Department of practical nurses who had three years' experience. On June 3, 53 arrived, on June 4, 52 arrived, on June 5, 28 arrived on the week of June 8, 77 arrived, on the week of June 15, 55 arrived, on the week of June 22, 26 arrived, and on the week of June 29, 72 arrived, or 490 applications, each qualified by experience, three years they worked as a practical nurse, except the act cut off the date that they could be licensed without an examination. There are Members in this House, both Democrats and Republicans, Senators in the Senate who have been to the Department about the application of Mary Jones, or Tillie—and the answer is that they cannot be licensed because the Act, the grandfather clause expired as of midnight of that date.

So what are we trying to do here? Are we letting down the barriers in any way for those who do this work in the hospitals or help us in our homes? Not a single barrier has been let down in any way extending the grandfather clause date to take care of 490 applications that were on file as of that date that meet every qualification that the 19,000 met.

The Practical Nurses' Association opposes the bill. They oppose it on the ground that they do not want to extend the grandfather clause. No place can you take a single applicant, and these applications come from 51 of the 67 counties, so surely you are affected, and this will extend this clause. As I stated to the Nurses' Association, I will state here, I know it is not easy to find an answer and everyone wants to stop grandfather clauses, but are we doing something that has never been done before? Have you never extended a grandfather clause? The answer is no, you have in many fields. Have we reduced the barrier in any way? The answer is no, we have not. Can any one of these applicants be licensed who do not have three years' experience the same as the 19,000? The answer is no, they can not. Can any of those who graduate from a school be licensed by the fact that they do not have the experience? The answer is no, they can not. They have to take the examination.

Here is a bill that takes care of 490 applications on file that you have to live with. I would like to say to

you that from the county I represent there is not a single application in those 490.

Therefore I ask that you support this bill because I think I can name by name the Representatives who want this bill other than the sponsors. I think it is sound legislation and extension of the grandfather clause should meet with your approval.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

Agnew,	Floyd,	Lutty,	Reidenbach,
Anderson,	Foerster,	McCandless,	Riley,
Arlene,	Fox,	McCann,	Royer,
Ashton,	Frascella,	McDonald,	Rudisill,
Auker,	Fulmer,	McInroy,	Scarcell,
Barton,	Galley,	McKeever,	Schaaf,
Bell,	Garlock,	McLaughlin,	Schuster,
Blair,	Gelfand,	Machmer,	Schwartz,
Bonner,	Gibb,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Meholchick,	Stank,
Bowman,	Guthrie,	Merry,	Steckel,
Branca,	Hamilton,	Miller, B. Z.,	Stevens,
Brown,	Heavey,	Miller, H. G.,	Stewart,
Buchanan,	Heffner,	Monroe,	Stone,
Capitolo,	Helm,	Muldowney,	Stoner,
Cianfrani,	Hocker,	Mullen,	Strausser,
Cioffi,	Holliday,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Holt,	Murphy, P. J.,	Sullivan,
Comer,	Irvis,	Murray, J. J.,	Tompkins,
Crossin,	Isaacs,	Murray, P. G.,	Trusio,
Curwood,	Jenkins,	Musto,	Ujohal,
Davis,	Johnson, A. W.,	Naugle,	Varallo,
Dengler,	Jones, F. R.,	Needham,	Varner,
Dennison,	Jones, T. H. W.,	Nelson,	Wall,
Devlin,	Kamyk,	O'Dell,	Walsh,
Donaldson,	Kee,	O'Donnell, J. A.,	Wargo,
Dougherty,	Keiser,	O'Donnell, J. P.,	Wescott,
Down,	Kernaghan,	Odorisio,	Wheeler,
Edwards,	Kessler,	Ogilvie,	Williams, E. S.,
Elberg,	Knecht,	Parlante,	Willard,
Eshback,	Kornick,	Pashley,	Wood,
Eshleman,	Korns,	Perry, H. H.,	Worley,
Ewing,	Lee, A. M.,	Perry, P. E.,	Wynd,
Farabaugh,	Lee, K. B.,	Petrosky,	Yetter,
Filo,	Leonard,	Potaski,	
Fineman,	Limper,	Polen,	Andrews,
	Lopresti,	Price,	Speaker

NAYS—43

Balthaser,	Henzel,	Maxwell,	Seltzer,
Brenninger,	Horst,	Mills,	Shupnik,
Breth,	Jim,	Murray, H. P.,	Snare,
Burns,	Johnson, R.,	O'Neill,	Snider,
Donahue,	Jump,	Prendergast,	Verona,
Fetterolf,	Kooker,	Pursley,	Weidner,
Flynn,	Kovolenko,	Reibman,	Williams, A. D., Jr.,
Frank,	Kubitsky,	Renwick,	Willaredt,
Gallagher,	Lippincott,	Rigby,	Yatron,
George,	Lulgard,	Rovansky,	Zimmerman,
Goldstein,	McCormack,	Sakulsky,	

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Stimmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 107, Printer's No. 107 and

Senate Bill No. 814, Printer's No. 1175

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 832, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the reorganization of school districts.

On the question,

Will the House agree to the bill on third reading?

Mrs. REIBMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 262), page 2, line 18, by striking out "1960" and inserting: "1961"

Amend Section 1 (Section 262), page 3, line 2, by striking out all of said line and inserting: "the county planned unit of administration approved by the State Council of Education."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Gailey,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gefand,	McInroy,	Sakulsky,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heavey,	Merry,	Silverman,
Branca,	Heffner,	Miller, B. Z.,	Snare,
Brenninger,	Helm,	Miller, H. G.,	Snider,
Breth,	Henzel,	Mills,	Stank,
Brown,	Hocker,	Monroe,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stevens,
Burns,	Holt,	Mullen,	Stewart,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Iris,	Murphy, P. J.,	Stoner,
Cioffi,	Isaacs,	Murray, H. P.,	Strausser,

Clarke,	Jenkins,	Murray, J. J.,	Stroup,
Comer,	Jlm,	Murray, P. G.,	Sullivan,
Crossin,	Johnson, A. W.,	Musto,	Tompkins,
Curwood,	Johnson, R.,	Naugle,	Trusio,
Davis,	Jones, F. R.,	Needham,	Ujobai,
Dengler,	Jones, T. H. W.,	Nelson,	Varallo,
Dennison,	Jump,	O'Dell,	Varnier,
Devlin,	Kamyk,	O'Donnell, J. A.,	Verona,
Donahue,	Kee,	O'Donnell, J. P.	Wall,
Donaldson,	Keiser,	Odorisio,	Walsh,
Dougherty,	Kernaghan,	Ogllvie,	Wargo,
Down,	Kessler,	O'Neill,	Weidner,
Edwards,	Knecht,	Parlante,	Wescott,
Ellberg,	Kooker,	Pashley,	Wheeler,
Eshback,	Kornick,	Perry, H. H.,	Williams, A.D., Jr.,
Eshleman,	Korns,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kovolenko,	Petrosky,	Willard,
Farabaugh,	Kubitsky,	Polaski,	Willaredt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	
Frank,	Lutty,	Rigby,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—16

Boles,	Lamb,	Moran,	Thompson,
Capano,	Light,	Munley,	Welsh,
Cooper,	Magee,	Whittmel,	Whittaker,
Dennis,	Mihm,	Taylor,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1971 on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1971, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class under certain conditions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendments:

Amend Section 1 (Section 406), page 3, line 13, by inserting after "day" where it appears the second time: "except Sunday."

Amend Section 1 (Section 406), page 8, by inserting between lines 11 and 12: "(h) The board is specifically given power, without limiting the power conferred by other sections, to make such rules and regulations as it deems necessary to insure compliance with and the enforcement of the provisions of this section."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendment:

Amend Section 2, page 8, lines 12 to 15, by striking out "shall not be" in line 12 and all of lines 13 to 15, and inserting: "the sale of malt or brewed beverages on Sunday in hotels in cities of the first and second class shall not be permitted in any city until after a majority of electors voting in such city of the first or second class vote in favor of such sale under the referendum provisions of section 406."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2327 on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2327, entitled:

An Act amending the act of May 21, 1943 (P. L. 328) entitled "An act authorizing the Secretary of Highways * * * to lay out * * * and maintain flight strips and roads to the sites of war activities * * * and making an appropriation" further regulating payment of property damages by the Department of Highways.

The first section was read.

On the question.

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 4), page 3, line 7, by inserting after "be": "paid by the Department of Highways from the funds furnished by the Public Roads Administration."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

CONGRATULATIONS

Mr. McCANN. Mr. Speaker, I would like to bring to the attention of the House that today is the birthday of one of our Members from Allegheny County, Jack Murray. I hope he is still here and I hope that we can all wish him a happy birthday.

The SPEAKER. Will Mr. Murray take a bow and make a speech?

Mr. J. J. MURRAY. Mr. Speaker, in the short time that I have been in the House of Representatives, one thing has become very obvious to me, that is that good legislation oftentimes was defeated because somebody talked a bill to death.

So we do not lose the grandeur of this expression of the people in the House, ladies and gentlemen, I want to simply say thank you and God bless each and every one of you.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1335

Mr. ROVANSEK. Mr. Speaker, I move that the vote by which House Bill No. 1335, Printer's No. 1260, entitled:

"An Act amending 'The Administrative Code of 1929', approved April 9, 1929, (P. L. 177) increasing the powers and duties of the Department of Agriculture."

was defeated on Final Passage Wednesday, September 9, 1959, be reconsidered.

Mr. FLYNN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

Mr. FARABAUGH. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 315.

The SPEAKER. The report will lie over for printing under the Rules.

REPORTS FROM COMMITTEE

Mr. CIOFFI from the Committee on Ways and Means, reported as committed, House Bill No. 476, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties, townships roads and schools.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forestlands.

Mr. FRASCELLA from the Committee on Ways and Means, reported as committed, House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), defining the word "taxes" to include penalties and interest.

Mr. BLAIR from the Committee on Ways and Means, reported as committed, House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), decreasing one tax; clarifying certain types of aircraft.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 34) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 2269, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2361, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2362, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), making technical changes and clarifying language.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, * * *" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective House of the Legislature.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the Public School Employes' Retirement Board; and making an appropriation.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House Bill No. 2364, entitled:

An Act to provide temporary supplement retirement benefits for certain annuitants of the State Employes' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the State Employes' Retirement Board; and making an appropriation.

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill No. 689, entitled:

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 476, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties, township roads and schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), defining the "taxes" to include penalties and interest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), decreasing one tax; clarifying certain types of aircraft.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2361, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2362, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), making technical changes and clarifying language.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, * * *" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 677.

An Act amending the act of June 18, 1941, (P. L. 133), entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines * * *" changing penalties.

HOUSE BILL No. 679.

An Act amending the act of March 26, 1925 (P. L. 83), entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels * * * and providing penalties" eliminating licenses and license fee requirements.

HOUSE BILL No. 831.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for the issuance of certain permits within each county.

HOUSE BILL No. 879.

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations * * * requiring certain information and reports and prescribing penalties" extending the provision of the act.

HOUSE BILL No. 1455.

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198), changing penalties in regards to certain actions relating to registration and furnishing of bonds.

HOUSE BILL No. 1654.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), increasing the rate and regulating the taxing of house trailers.

HOUSE BILL No. 1835.

An Act amending the "Building and Loan Code" approved May 3, 1933 (P. L. 457), further regulating the exercise of powers by the Department of Banking and boards thereof * * *.

HOUSE BILL No. 2259.

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748), changing the registration year and providing for registration fees.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 24, 535, 738, 920, 925, 1041, 1102, 1103, 1106, 1107 and 1109.

Amended House Bill returned for concurrence No. 632.

Senate insists upon amendments to House Bill No. 2237.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 356.

An Act amending the act of February 28, 1956 (P. L. 1154), entitled as amended "Incompetents' Estates Act of 1955" providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

BILL INTRODUCED AND REFERRED

By Messrs. BRETH and TOMPKINS.

HOUSE BILL No. 2380.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

Referred to the Committee on Game and Conservation.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BROWN, ASHTON, and UJOBAL.

RESOLUTION (Not printed)

In the House of Representatives, September 15, 1959.

In May of 1859 Downingtown was incorporated as a borough.

This year is the one-hundredth anniversary of that great event, marking the completion of the first century of progress in the Borough of Downingtown.

Carl Sandburg, in a recent Reader's Digest article "Preserving our American Heritage," stressed the urgent need for stimulating interest in American history, concluding with the statement that "A nation which has no regard for its past will have little future worth remembering."

The people of Downingtown feel they have as fine a truly American community as can be found anywhere in these United States.

Therefore they are attempting through many celebration activities this week, all of which are designed to focus attention upon the history and tremendous progress of Downingtown, to bring to the minds and hearts of the citizens of Downingtown an acute awareness of the heritage each of us has from our forbears.

Upwards of 25,000 people helped celebrate the borough birthday on Saturday, September 12 with what many considered the largest and most spectacular parade ever held in Chester County.

On the local level the citizens of this small community, hoped visitors would leave their borough with the firm conviction that "Downingtown is a wonderful town—this is really Americanism at work!"

Hundreds of men and women have given freely and unselfishly of their time and effort to assure the success of the September 11-19 centennial.

This, too, is the pulse of America—the working "togetherness," the unity of purpose, the pride of worthwhile achievement.

Downingtown began in the early 1700's. At that time there were only a few buildings at or near that locality.

As the years passed, mills of a varied nature served to strengthen the industrial character of the hamlet on the Brandywine. The Downings, the Hunts, the Parkes, the Mendenhalls, the Baldwins, the Hoopes and the Bonds began to grow up together. They formed a community interested in each other and interesting to the world at large.

The Continental Congress, by resolution passed January 15, 1778, directed, among other things, that two thousand barrels of flour be delivered for the use of the army at Downings Town in Chester County. Thus, at this early period the town was regarded as one of the principal points of supply and distribution for the patriot forces.

It was evident that Downingtown, in the first half of the 18th century was the industrial center of Chester County; in 1787 the County of Chester had been divided and efforts were made to place the new county seat at Downingtown.

Few, if any, of the residents of Downingtown were favorable to the location of the county town at that point. Tradition says that it was the peaceful quiet of a Friendly Community that resented the proposition.

Today, Downingtown remains a friendly borough with a definite neighborly attitude.

This week the people are not only honoring the past, but saluting the future—a future of ever increasing community progress and growth; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania extends to all of the residents of Downingtown its hearty congratulations on the 100th anniversary of the founding of that outstanding American borough.

Referred to the Committee on Rules.

ADJOURNMENT

Mr. BRANCA. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 16, 1959 at 9:00 a. m. EST.

The motion was agreed to, and (at 5:51 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36. HARRISBURG, PA., WEDNESDAY, SEPTEMBER 16, 1959. No. 93.

SENATE

WEDNESDAY, SEPTEMBER 16, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, RABBI GERALD I. WOLFE, of Temple Beth El, Harrisburg, offered the following prayer:

Almighty God, created in Thy image, we bear the divine mark of mind and choice. In our age of grey sameness, give us the strength of individuality. Amidst the flood of overwhelming direction, bless us with the strength of individual decision and in our planned and rushed day, remind us of the joy of contemplation.

As our intellect and soul bind us to Thee, may they join each man to his brother in a world congregation bent on truth, tolerance and peace. Thus, we may turn to Thy Eternal Garden as Thy children, created by Thine infinite love amidst the calm of Thy presence and revealed truth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

September 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Irwin Dubin, 121 South Broad Street, Philadelphia, Philadelphia County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL No. 436 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 864 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 1035

He also returned to the Senate, Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to municipality authorities.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 568, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), giving additional

powers and duties to the Department of Public Instruction relating to acquisition of grounds and construction of school buildings.

Which was committed to the Committee on Rules.

House Bill No. 1505, entitled:

An Act amending the act of April 6, 1951 (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, . . ." defining standards for issuance of an injunction for enjoining the operation of establishments not licensed theretofore.

Which was committed to the Committee on Rules.

House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300), entitled as amended, "An act providing for compliance with Federal law and the approval of certain institutions; . . ." abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

Which was committed to the Committee on Rules.

House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption by abolishing the advisory committee on adoption standards.

Which was committed to the Committee on Rules.

House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards, rules and regulations.

Which was committed to the Committee on Rules.

House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in State Treasury to be used by the State Council for the Blind, to purchase, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, . . ."; transferring functions from the State Council for the Blind, to the Department of Public Welfare.

Which was committed to the Committee on Rules.

House Bill No. 2147, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), empowering the State Council of Education to promulgate standards for the acquisition of school grounds and construction of school buildings.

Which was committed to the Committee on Rules.

House Bill No. 2174, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the election of district superintendents and assistant superintendents in districts of the third class.

Which was committed to the Committee on Rules.

House Bill No. 2181, entitled:

An Act amending "The Penal Code," approved June 24,

1939 (P. L. 872), penalizing acts of malicious mischief to personal property.

Which was committed to the Committee on Rules.

House Bill No. 2286, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

Which was committed to the Committee on Rules.

House Bill No. 2319, entitled:

An Act amend "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

Which was committed to the Committee on Rules.

House Bill No. 2358, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further defining the authority of the Department of Public Instruction to review construction projects.

Which was committed to the Committee on Rules.

House Bill No. 2360, entitled:

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

Which was committed to the Committee on Rules.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 56, Printer's No. 1360;
Senate Bill No. 356, Printer's No. 1322;
House Bill No. 677, Printer's No. 1036;
House Bill No. 679, Printer's No. 175;
House Bill No. 831, Printer's No. 862;
House Bill No. 879, Printer's No. 1037;
House Bill No. 1143, Printer's No. 492;
House Bill No. 1144, Printer's No. 463;
House Bill No. 1145, Printer's No. 464;
House Bill No. 1228, Printer's No. 979;
House Bill No. 1455, Printer's No. 516.
House Bill No. 1654, Printer's No. 1022;
House Bill No. 1823, Printer's No. 727;
House Bill No. 1835, Printer's No. 1228;
House Bill No. 2031, Printer's No. 1283; and
House Bill No. 2259, Printer's No. 1336.

REPORT FROM COMMITTEE

Mr. KELLER, from the Committee on Education, reported as amended, House Bill No. 998, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" by defining distressed school districts authorizing the Superintendent of Public Instruction or his designated representative to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction or his designated representative with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases.

BILLS INTRODUCED AND REFERRED

Messrs. RUTH and SARRAF read in place and presented to the Chair Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

Which was committed to the Committee on Rules.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 1183, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it unlawful for certain employers to issue checks to employes without sufficient funds in a separate account for the payment thereof.

Which was committed to the Committee on Rules.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law" increasing the powers and duties of institution districts.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 141

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 141.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare, which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 143

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 143.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086), entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 639

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 639.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 664.

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 664.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,

Donolow,	Madigan,
Ehrgood,	Mahady,
Elliott,	Mallery,
Flack,	McCreesh,
Fleming,	McGinnis,
Harney,	McMenamin,

Ruth,	Walker,
Sarraff,	Watkins,
Scott,	Weiner,
Seyler,	Whalley,
Shafer,	Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, at the suggestion of some of my colleagues on both sides, I request that the Senate do now take a twenty minute recess for obvious reasons.

The PRESIDENT. There being no objection, the Chair declares a twenty minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

FINAL PASSAGE CALENDAR

APPROPRIATION BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 13, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570; and

House Bill No. 662, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING
AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 10, Printer's No. 10;

Senate Bill No. 290, Printer's No. 314; and

House Bill No. 398, Printer's No. 1654.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 680, entitled:

An Act amending the act of April 28, 1937 (P. L. 417) entitled "Milk Control Law" changing provisions relating to weighing and measuring permits.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 958, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" including costs of grading sewage treatment plants and interests thereon in computing reimbursable rentals.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that House Bill No. 959, Printer's No. 1655, on third reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 997, entitled:

An Act designating the whitetail deer as the official State animal.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, this is a very significant piece of legislation and one for which the people have waited a great many years in this Commonwealth.

We have a State tree, a State flower, a State bird and now at last we have a State animal. It is very fitting, in my opinion, that the white-tailed deer, which is found in great numbers in northern Pennsylvania, in central Pennsylvania and almost in every county of the Commonwealth, be designated as the official animal for the Commonwealth of Pennsylvania.

I believe that someone observed to me that had it not been that the cougar is now extinct in Pennsylvania, we might have considered that. The white-tailed deer seems to me, Mr. President, to be a very appropriate animal.

Mr. WEINER. Mr. President, I want to report to the Senate that I had calls from a Great Dane, a cocker spaniel and a ground hog. They did not have a opportunity to write me.

The Great Dane thought he certainly had precedence over the white-tailed deer because he had been here in years past, and also that his alleged picture appears with William Penn on the canvass that is over in the Governor's Office.

I think this is rank discrimination against the Great Dane, who certainly was here first and who had an opportunity to be before us. I also feel that some of these other animals should have an opportunity to get in touch with their Legislators so they can be heard. Before we take this distinctive step, I think we should give it some careful consideration because I feel the ground hog will get some attention in February as being completely left out.

Mr. STIEFEL. Mr. President, I am in a quandary. You know nowadays when we have a visit from the chief burglar and assassin of Europe, Mr. Krushchev, I am just wondering whether we have to display strength or weakness. To me, this deer is a symbol of weakness.

Is Pennsylvania going to adopt an animal which is weak and runs from everyone, or shall we ask for the Nittany Lion? Even if the Nittany Lion is not in existence, we should have a beast with a little strength and courage. This is what we need today, and not an animal that chases away from everybody.

Mr. BERGER. Mr. President, without disputing the statement made by the gentleman from Philadelphia, Senator Stiefel, I believe I did remark that the Nittany

Lion—and I believe that is the same as the cougar—would have been a desirable State animal. However, unfortunately, it is not found in all parts of the State of Pennsylvania anymore, and the white-tailed deer is.

To say that the white-tailed deer is a meek animal is rather stretching a point, because I do not know of any animal more cantankerous and apt to jump up on its hind legs and apt to give you a jab than the white-tailed deer, particularly the buck in certain seasons of the year, Mr. President.

I do want to correct, however, the impression that even though the dog may be as unquestionably an animal, I do not believe that this bill is going to preclude future consideration of the Great Dane or any other canine species to be selected as the State dog. We can go a long way yet.

Mr. WEINER. Mr. President, the only difficulty about telling whether the deer is the State animal or not is that you have to wait until he turns his back on you or else go up from behind.

We should not do honor to an animal that must turn its back on you in order to find out whether it is the State animal or not.

Mr. BERGER. They rear on their hind legs and come at you with their front legs, Mr. President.

Mr. MULLIN. Mr. President, if we choose as a State animal one that we are shooting every year, it seems we are picking it not for the love of the animal, unless we love the products of the animal, the meat and the hide.

In addition to that, it seems that "State animal" is a pretty broad term because in spite of what you say, you do rule out any other animal for which we might want to show affection at some later time.

I do think that the white-tailed makes a very nice picture, but I do not feel as though we are showing any affection for him when we go out and kill him every year by the thousands.

Mr. LANE. Mr. President, it amuses me that we are having a League of Nations debate on this particular subject. It shows how unusual this Senate is, because we passed Senate Bill No. 298, which had a substantial appropriation, and not one Member of the Senate took the floor and said a word about it.

At the same time, we are going into a major debate on an insignificant question.

Mr. TAYLOR. Mr. President, I would like to move that the open season now be closed.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Fleming,	McCreesh,	Stevenson,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camel,	Kessler,	Probert,	Wade,
Chapman,	Koprivier, Jr.,	Ruth,	Wagner,
Confair,	Kromer,	Sarra,	Walker,
DiSilvestro,	Lane,	Scott,	Watkins,
Ehrgood,	Madigan,	Shafer,	Whalley,
Elliot,	Mallery,	Silvert,	Wolfe,
Flack,			

NAYS—7

Donolow,	Mullin,	Seyler,	Weiner,
Hays,	Ripp,	Stiefel,	

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1015, Printer's No. 1635; and

Senate Bill No. 1047, Printer's No. 1423.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1071, Printer's No. 1110, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1160, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
Donolow,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1463, entitled:

An Act repealing sections 1261 1262 and 1263 act of August 9, 1955 (P.L. 323) entitled "The County Code" relating to recognizance of sheriffs and coroners.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1566, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court except in counties of the first class and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1572, Printer's No. 1299; and

House Bill No. 1701, Printer's No. 1294.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1861, Printer's No. 1054, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1907, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" clarifying the provisions relating to shooting across highways or at wild birds or animals on highways.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2049, Printer's No. 1262, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 2123, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2172, Printer's No. 1220, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2203, entitled:

An Act amending the act of May 3, 1933 (P. L. 242) entitled "Beauty Culture Law" permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I am going to cast a negative vote on this bill for obvious reasons. This is another stage in the evolution of a young profession which seeks, on one side, repressing measures and, on the other side, certain laxities. What is the purpose of seeking reciprocity for beauty culturists from New Jersey or from adjacent States? Probably some of our beauty culturists, now waxing opulent, want to find suburban residences in New Jersey. Therefore, in order to be in a position to practice in New Jersey and in Pennsylvania, they are throwing a little courtesy to New Jersey in the hope that New Jersey will recognize our beauticians.

I hail from a poor district, and I was indignant when those beauty culturists invaded Harrisburg a few weeks ago, looking for more restrictions. Now that we have more restrictions, this is the next step; suburban settlements and the right to practice beauty culture in the suburbs of Philadelphia even if they are located in New Jersey. This is the sum total and the gist of this measure, and for this reason I am going to vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Shafer,
Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Weiner,
Flack,	McCreech,	Scott,	Whalley,
Fleming,	McGinnis,	Seyler,	Wolfe,
Harney,			

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2265, Printer's No. 1577;

House Bill No. 2267, Printer's No. 1340;

House Bill No. 2268, Printer's No. 1341;

House Bill No. 2270, Printer's No. 1343; and

House Bill No. 2271, Printer's No. 1576.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. KELLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KELLER, from the Committee on Education, reported as committed, Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the date on which the authority collecting or receiving school taxes shall file annual reports.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PROPERT read in place and presented to the Chair Senate Bill No. 1184, entitled:

An Act amending the act of July 29, 1953 (P. L. 956), entitled "Legislative Reapportionment Act," including the boroughs of West Conshohocken and Bridgeport and the township of Upper Merion in the first district of Montgomery County.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1185, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled "An act relating to public records of political subdivisions other than cities and counties of the first class;....." permitting recorders of deeds in certain counties to refuse to accept instruments unsuitable for permanent recording, and authorizing the recording of copies in said cases.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1186, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the sale of surplus personal property by boards of school directors.

Which was committed to the Committee on Rules.

SHAFFER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFFER read in place and presented to the Chair Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, a few minutes ago, we adopted a bill which would make the white-tailed deer the official animal of the Commonwealth of Pennsylvania.

The bill which I am about to report from committee declares the adoption of the poem "Pennsylvania," by Gerrell G. Dovenspike, as the official poem of the Commonwealth. It reads:

"Beyond her each horizon stand the kingdoms of
her land
"Where cavalcades of effigies unbar
"Her pioneers of history parading hand in hand
"From east to west where Keystone treasures are
A thousand cities made from a surge of steel
and stone
"And clustered stacks with dissonance of sound
"Producing greater power ways that she can call
her own
"And vantage lore her veteran sons have found
"A magnitude of concrete veins that link her
border brims
"A channel-graph of peaceful waterways
"And mountain ranges scarlet tipped that kiss the
rolling rims
"Of little hills where golden sunlight plays
"A panoramic picture of ripened corn and grain
"An apple orchard white with petal snow
"That covers miles of distance fresh as sunshine
after rain
"And winter gardens rich with afterglow
"Cathedral forests praying to the sylvan gods of
pine
"And scents of flower incense on her breast
"With everlasting loveliness where gods of nature
dine
"Is Pennsylvania always at her best
"Each season gives her to you with a Pennsylvania
grace
"The mother of your homeland beauty-wise
"That glorifies the morning when you meet her
face to face
"And holds your spirit spellbound . . . when the
sun begins to rise."

REPORT FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT, from the Committee on State Government, reported as committed, Senate Bill No. 341, entitled:

An Act declaring and adopting the poem, "Pennsylvania" by Gerrell G. Dovenspike, a Pennsylvanian, as the official poem of the Commonwealth.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I would like to have the privilege of making a few remarks at this particular time pertaining to this legislation and other legislation which passed the Senate here this morning.

I do not wish to be the fifth wheel on the wagon, or the fly in the ointment, but I dare say that if we continue along these lines, we are going to be singing Christmas Carols here in Harrisburg.

The other day, we were roundly criticized by an editor of a Harrisburg newspaper about the Legislature being dilatory in not getting its work done. Today we have almost a full contingent and on the Third Reading Calendar, I believe we carried over at least twenty bills which are of major importance. We are continuing along this line day after day, and week after week. I do believe that it is about time we get down to business here in this Senate, and I think it is ridiculous to fool around with white-tailed deer and Pennsylvania poems. Pretty soon we will have a State dog and all that sort of thing. Such matters should come last. Right now, we have important legislation before this Senate and something should be done to get this legislation either passed or defeated.

I dislike very much to make this statement. However, it seems we have to get something done. We have worked two days a week and then, generally, on the third day, we have a consent Calendar. That has been going on ever since January. I believe that all of us have a responsibility to get this work done. I am willing to do my part. I am am here at every Session. I have only missed one, and I left one afternoon when my brother was seriously ill and underwent surgery. Otherwise, I would have been here on the job. I think the time has come to get to work.

SECOND READING CALENDAR

REQUEST THAT REVENUE BILLS GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1105, Printer's No. 1426, and Senate Bill No. 1112, Printer's No. 1427, on second reading, go over in their order.

Mr. President, I make that request because at the meeting of the Finance Committee, and I think the Chairman will bear me out, we were informed there was no great rush on these two bills and the bill on page 11, House Bill No. 2100. We would like to have an opportunity to further study these bills because I think there is a serious constitutional question involved in regard to Senate Bill No. 1105 and Senate Bill No. 1112. If you would like me to state that, I would be very happy to do so at this time. That is my reason for asking that these bills go over in order.

The PRESIDENT. The Chair hears no objection.

Mr. BERGER. Mr. President, the Chair does hear objection. I object to these bills going over in their order. I do not know and I do not recall the discussion concerning their remaining on the calendar. However, they do come in the category of bills that were just mentioned by Senator Lane, I believe, to which we ought to give attention. I am not admitting that the other bill just before us was not a good and important piece of legislation. However, these bills are of considerable importance and we would like to move them up to Third Reading so that they will be in a position for final action in the very near future.

Therefore, Mr. President, I believe that any discussion concerning the possible constitutionality or unconstitutionality can be stated at that time, and I do object to the bills going over in their order.

REQUEST FOR RULING BY THE CHAIR

Mr. WEINER. Mr. President, I would, therefore, ask a ruling from the Chair. I will state the problem as I think it exists. I have been awaiting an opinion from the Attorney General's Office, which will take a little bit of research before they can give me an answer.

The problem, simply stated, is that in the Constitution of the State of Pennsylvania, under Article III, "Legislation," in Section 14 of that Article, it is stated that, "All bills for raising revenue shall originate in the House . . .," and that these measures may be amended as any other bill is amended by the Senate. That would preclude the Senate from raising any revenue.

Senate Bill No. 1105 is a revenue-raising measure. I deem that to be so because in the meeting of the Finance Committee, of which I am a member along with other Members of this Senate, it was stated by the Chairman—and if I incorrectly quote him or state what he said, I am sure he will correct me—that this was a way or means, so he felt, of raising additional revenue or more revenue.

Senate Bill No. 1112 removes a certain portion of an industry that is being taxed. It was felt that this would also delineate the tax a little more clearly because they are raising the money they are going to receive in Senate Bill No. 1105. This would also further seem to be a revenue-raising measure, dealing with revenue.

Both of these are Senate Bills. I would like to know, before I vote on any phase of these bills, whether they are correct or incorrect measures, if it is constitutional or unconstitutional, and whether we should take up this problem here in the Senate, because if these are revenue-raising measures, reading the Constitution strictly, they would have to originate in the House and then come before us.

If these were House Bills being amended, I would say this would be a correct procedure, and perhaps that would need some other type of work.

The PRESIDENT. My immediate, off-the cuff opinion is that the Chair has no right to rule on the constitutionality problem. However, the Chair would like to confer with the Minority and Majority Leaders, please.

The Senate will be at ease.

(The Senate was at ease.)

RULING BY THE CHAIR

The PRESIDENT. Quoting from page 242 of Mason's Legislative Manual, I would point out to you that:

"It is not the duty of the presiding Officer to rule upon any question which is not presented in the course of proceedings. It is not his right to rule upon the constitutionality or legal effect or expediency of a proposed bill, as that authority belongs to the House."

Therefore, an objection having been raised to Senate Bill No. 1105 and Senate Bill No. 1112 going over in their order, we will proceed with the consideration of these bills on second reading.

Mr. WEINER. Mr. President, I would like to note my objection to these bills at this time, for the reasons previously stated on the record.

The PRESIDENT. Your objection will be noted.

REVENUE BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1105, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Tax Act," imposing the tax on liquor and malt and brewed beverages at the retail level.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1112, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," excluding certain services from taxation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," defining or re-defining certain words, terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers, transferors, auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

And said bill having been read at length the second time, On the question,

Will the Senate agree to the bill on second reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that this bill go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I object to House Bill No. 2100 going over in order.

Mr. WEINER. Mr. President, I desire to interrogate the Chairman of the Finance Committee, the gentleman from Lancaster, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WEINER. Mr. President, House Bill No. 2100 is a forty-eight page bill. I would like the gentleman to refresh my memory, if he will.

The PRESIDENT. Do you have a specific question, Senator Weiner?

Mr. WEINER. Yes, I do.

The PRESIDENT. You may proceed, Senator Weiner.

Mr. WEINER. Mr. President, would the gentleman please tell us if it is not his recollection that at the meeting, we did not go over all of these amendments in extensive detail. It was stated to the members of the committee that there was no rush to pass this bill, and we would have an opportunity to look at it before we took any action.

Mr. KESSLER. That is true, Mr. President. It is a very complicated bill and it is highly technical. Yet, we can still move it up to Third Reading and consider it if we so wish. I can say further that we spent hours on this bill with the Sales Tax Bureau people. I believe they are in agreement with almost every phase of it except the soft drink tax.

Mr. WEINER. Mr. President, would the gentleman please advise us whether there would be any great harm suffered if we did not act on this measure at this moment? Possibly next week, after some of us have had an opportunity to further supply this complicated and detailed bill, as the Chairman just pointed out, would there be any harm or loss in the delay?

Mr. KESSLER. Mr. President, I think that depends pretty much on the Sales Tax Bureau in the Department of Revenue, as to how soon they would like to get some of these features into the law in order for them to apply them. There are many features desired by the Sales Tax Bureau in this particular bill.

Mr. WEINER. Mr. President, would the gentleman advise us, lacking any expression of opinion from the Sales Tax Bureau, and I assume that this lack of expression of opinion would appear to be that they are not particularly interested in having this measure at this moment, because we could not possibly pass it today—whether he would then feel there is any harm or any loss in it not being moved up today?

Mr. KESSLER. Mr. President, I do not believe so, although I see no reason for delaying it from going up to Third Reading. I see no reason for not having it read for the second time.

Mr. WEINER. Mr. President, would the gentleman please advise us, if he can or would like to, on certain sections of this bill, which are not too clear? I do not want to take them in extensive order. However, there are some of these sections which have little or no meaning for me, at the moment.

I would like to have the opportunity, at least, to intelligently somewhat understand this bill in order for me to take a position on it one way or another. If we cannot

have the opportunity to do that, would the gentleman be so kind as to explain some of these sections to us?

Mr. KESSLER. Mr. President, the bill can be read and studied equally well on Third Reading as it can on Second Reading. I do not think that has anything to do with how much time we devote to the bill. We have had many bills go over on Third Reading, day after day. I am sure that our side of the Senate would have no objection to considering amendments that the gentleman might want to propose on Third Reading.

Mr. WEINER. Mr. President, I want to thank the gentleman. He has been most kind.

I would like to point out to the gentleman that once this bill is on Third Reading, I will not have any opportunity to take any action on it, either in the form of amendments or by voting because I do not have the votes to pass it or not to pass it, which leaves me in a sort of paradoxical position. In other words, I can amend it if I have the votes to amend it. I can or cannot pass it if I have the votes to do so. I think all of us are practical enough, and I think all of us know our arithmetic quite well and can count to twenty-two and to twenty-eight and find the position that we are in. That is the only reason for asking for a little more time, so that if there are possible editorial changes or editorial amendments which have to be made, or changes made in the law itself, we would have an opportunity to do so while it is on Second Reading. Once it is in position for Third Reading, we have little or no place to move.

Mr. BERGER. Mr. President, there have been a number of occasions when this question has arisen before the Senate on prior legislative days. Each time, I have assured the gentleman there would be no objection to his offering amendments on Third Reading of these bills. I reiterate that. They may offer amendments on Third Reading the same as they may on Second Reading, in so far as objections from this side are concerned.

Mr. WEINER. Mr. President, if I understand the Majority Leader correctly, this bill will remain on Third Reading until we have had a thorough opportunity to study it and make the necessary amendments as we see fit to do so, after we have had a careful opportunity to study this measure.

Mr. BERGER. Mr. President, I believe I said that we have never objected to the tender or offering of amendments on the Third Reading Calendar. I do not believe I made any expression, and did not intend to and I do not make any, in regard to the length of time this bill will stay on Third Reading.

Mr. WEINER. Mr. President, I assume by the phrase "length of time," we will not pass this measure immediately on Monday if we have not had an opportunity, at least, to have our amendments prepared.

Mr. BERGER. Mr. President, if, on Monday, the gentleman states that he has not had an opportunity to read this bill, I will believe him and extend him any courtesy he requests.

Mr. WEINER. I want to thank the gentleman, Mr. President.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 301, Printer's No. 1399;
Senate Bill No. 446, Printer's No. 1323;
Senate Bill No. 447, Printer's No. 481;
Senate Bill No. 448, Printer's No. 1324; and
Senate Bill No. 449, Printer's No. 1325.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 534, on second reading, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

be recommitted to the Committee on Rules.

Mr. WEINER. Mr. President—

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Weiner.

(No further response from Senator Weiner.)

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WEINER. Mr. President, I am sorry I did not have an opportunity to discuss this before you took the vote. However, House Bill No. 534 is word for word the same as Senate Bill No. 13, Printer's No. 13, which appeared on page 2 of today's Calendar, under Appropriation Bill on Final Passage.

Senator Walker was telling us about people who were in trouble, who were ill and needed help, and we agreed with him. This bill has passed the House. It is now on Second Reading in the Senate, and if it passes here today, it will be on Third Reading on Monday and it can pass and go over to the Governor's Office to be signed. I do not know what Senate Bill No. 13 will do in the House. It could very easily pass next week as well, and both of them could be there.

If there is pride of authorship, I think we should learn about that today and we could do something about it. If there is no pride of authorship and there is a desire to help people who are ill, this is the way to do it. It just happens that both bills are here before us.

I like Senator Walker. I think he is a wonderful fellow, but I think the people of his District need help, and if that is what we want to do, let us do it this way.

Mr. WALKER. Mr. President, it is not a matter of pride of authorship. Senate Bill No. 13 was introduced in the early weeks of this Session of the Senate, and we have been struggling with it for a long time.

I certainly do not like plagiarism in the House, to the point where they will pick up our bill and copy it word for word and throw it back to us to pass when we have passed Senate Bill No. 13.

Mr. WEINER. Mr. President, might I remind the gentleman that I do not know why he was struggling with Senate Bill No. 13. It was a Senate Bill, it went into a Senate Committee and I assume he has some influence on the gentleman sitting on his side. Therefore, I do not under-

stand what the struggling was all about. Apparently, we did not have the same struggle with this House Bill because it passed the House, is over here now, out of committee and on the Calendar.

I think if the gentleman is interested in aiding his community, he should get behind this bill as well. If there is some political purpose in Senate Bill No. 13, it escapes me. If you will explain it to me, I will be very happy. Perhaps I should be against House Bill No. 534 myself. The verbiage in it is the exact same thing, verbatim.

Mr. BERGER. Mr. President, I would remind the Chair, and the members of the Senate, that House Bill No. 534 is no longer before us.

Mr. WEINER. Mr. President, the gentleman might very well be correct. However, I did ask to be recognized when you had not yet obtained a second, and I was under the impression that this recognition that you had given me would remain. I withdrew from being recognized when you were awaiting a second because I did not want to interfere with that.

The PRESIDENT. We are on page 12 of the Calendar, Senate Bill No. 789, Printer's No. 1434.

Mr. WEINER. Mr. President, I have not heard a ruling from the Chair as to whether I was recognized or not when this vote had been taken.

The PRESIDENT. Perhaps the Chair did not understand the question.

Mr. WEINER. Mr. President, I will restate my question.

When the motion was made to recommit this bill, before you obtained a second, I asked to be recognized. You recognized me and I realized you had no second to the motion.

The PRESIDENT. I had a second on it. I had a second from Senator Kessler.

Mr. WEINER. Mr. President, there was a hand raised over there for a second. Before that took place, I had asked to be recognized. In between those two things, I said I did not realize you had a second, and withdrew from being recognized. I assumed that you would call upon me before you took a vote on this. If you want me to go back into the record, I would be glad to do that.

The PRESIDENT. I think we will have to go back to the record. I just do not understand it. Will the reporter come to the rostrum, please, with her notes?

(Reporter complied.)

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, I ask that on House Bill No. 534, Printer's No. 1521, that we have a roll call rather than a voice vote. I think we are a little indecisive as to what action had been taken.

Mr. President, before taking that record vote, I would like to interrogate the gentleman from Cambria, Senator Walker.

The PRESIDENT. Will the gentleman from Cambria, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise us that if no action is taken on his bill in the House, what would be his position in regard to this legislation?

Mr. WALKER. You say if no action is taken in the House?

Mr. WEINER. That is correct.

Mr. WALKER. That will be a matter which the House will have to answer. I am sure I would not know what would happen. I do know what has happened so far, however. It is not just accidental that a bill is copied word for word—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, I merely asked to interrogate the gentleman. If he wants to make a speech, I think he should do that on his own. I have one or two other questions that I would like to have answered and then I will be glad to listen to any explanation he might make.

The PRESIDENT. I would probably believe that Senator Walker thought he was answering your question.

Mr. WEINER. I believe he answered the question, Mr. President, and he was then proceeding to explain some other phase of it which has not been questioned. I merely asked him what he would do if the House takes no action on his bill.

The PRESIDENT. Senator Weiner, coming so freshly from the Courts of Common Pleas, where a question directed to a witness may be answered and then the judge will say to that witness, "Now, if you wish to add anything to your answer, you may do so," I would think that we would be entitled to hear what the Senator would have to say in explanation of his answer, whatever it might be.

Mr. WEINER. That is in a "yes" or "no" answer that the gentleman has a right to explain on the witness stand. This gentleman has answered my question. If he wants to make a speech, it is perfectly all right with me that he do it on his own.

Mr. WALKER. Mr. President, I do not want—

The PRESIDENT. I will rule that the question and answer are proper, and the answer may be as extended as he desires to make it.

Mr. WEINER. Mr. President, I have no further questions of the gentleman. I have no further question at all.

The PRESIDENT. A roll call having been requested, the Clerk will call the roll.

The yeas and nays were required by Mr. WEINER and were as follows, viz:

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—19

Barr,	Kalman,	Mullin,	Seyler,
Camiel,	Lane,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Stiefel,
Donolow,	McGinnis,	Ruth,	Weiner,
Hays,	Miller,	Sarra,	

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 789, Printer's No. 1434, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1001, Printers' No. 1190, on second reading, go over in its order.

The President. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1031, Printers' No. 1215, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1936, Printer's No. 1340, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1046, entitled:

An Act prescribing penalties for bail jumping.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1, page 1, line 2, by inserting after "felony": "or misdemeanor"; Amend Sec. 1, page 1, line 3, by striking out "felony" and inserting: "misdemeanor".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 2, page 1, lines 5 and 6, and page 2, lines 1 and 2, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 3, page 2, line 3, by striking out "3" and inserting: "2".

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question?

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 4, page 2, line 9 to 12, by striking out "(a) Whoever is guilty of a felony under this act shall" in line 9, all of lines 10 and 11, and "(b)" in line 12.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question?

Will the Senate agree to the title?

Mr. WEINER offered the following amendment:

Amend Title, page 1, first line of Title, by striking out "bail jumping" and inserting: "failing to appear as required after being admitted to bail."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1046, Printer's No. 1237, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1054, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of the State Board of Barber Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying preference provisions and adding definitions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1115, Printer's No. 1333, on second reading, go over in its order.

The PRESIDENT. Is there objection? Does the gentleman from Philadelphia, Senator Weiner, desire to be recognized?

Mr. WEINER. No, Mr. President, I think maybe it is just a Freudian slip, but I always get recognized at the wrong time.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Brokers License Act of 1929" re-defining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1133, Printer's No. 1370; and

Senate Bill No. 1136, Printer's No. 1373.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof . . ." granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 3 (Sec. 3), page 12, line 6, by striking out "the" and inserting: "The."

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the Section?

Mr. LANE offered the following amendments:

Amend Sec. 5 (Sec. 6), page 14, line 19, by inserting brackets before and after "The" where it appears the first time, and immediately thereafter: "Subject to the provisions of section 6.1 the"; Amend Sec. 5 (Sec. 6), page 15, line 17 by, underscoring "Such"; Amend Bill, page 17, by inserting between lines 9 and 10: "Section 6. The act is amended by adding, after section 6, a new section

to read: "Section 6.1. In addition to the members of the board provided for in section 6 of this act, the county commissioners of each county adjoining to a county of the second class, may appoint a representative of such adjoining county to the board, who shall have the power to participate in and vote only on matters directly affecting rates and services within the county represented by such member. Such representative shall be appointed for a term of five (5) years and shall receive compensation in accordance with the provisions of section 6."

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 6, page 17, line 10, by striking out "6" and inserting: "7."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 7, page 17, line 11, by striking out "7" and inserting: "8"; Amend Sec. 7 (Sec. 7.1), page 18, line 5, by striking out "interstate commerce commission" and inserting: "Interstate Commerce Commission"; Amend Sec. 7 (Sec. 7.1), page 18, line 10, by striking out "he" and inserting: "the"; Amend Sec. 7 (Sec. 7.1), page 21, line 7, by striking out "verdict" and inserting: "verdict."

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 8, page 21, line 12, by striking out "8" and inserting: "9."

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 9, line 23, line 3, by striking out "9" and inserting: "10."

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 10, page 23, line 4, by striking out "10" and inserting: "11"; Amend Sec. 10 (Sec. 9.1), page 24, line 3, by striking out "days" and inserting: "days"; Amend Sec. 10 (Sec. 9.1), page 24, line 18, by striking out "any" and inserting: "Any"; Amend Sec. 10 (Sec. 9.1), page

25, line 2, by striking out "provided that" and inserting: "Provided, That"; Amend Sec. 10 (Sec. 9.1), page 26, line 3, by striking out "federal" and inserting: "Federal";

Amend Sec. 10 (Sec. 9.1), page 26, line 4, by striking out "federal" and inserting: "Federal". Amend Sec. 10 (Sec. 9.1), page 26, line 6, by striking out "federal" and inserting: "Federal"; Amend Sec. 10 (Sec. 9.1), page 26, line 7, by striking out "federal" and inserting: "Federal."

They were agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 11, page 26, line 10, by striking out "11" and inserting "12"; Amend Sec. 11 (Sec. 13), page 27, line 16, by striking out "[any]"; Amend Sec. 11 (Sec. 13), page 27, line 19, by striking out "any" and inserting "Any"; Amend Sec. 11 (Sec. 13), page 28, line 2, by striking out "any", where it appears the second time and inserting: "Any."

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 12, page 28, line 9, by striking out "12" and inserting: "13"; Amend Sec. 12 (Sec. 13.1), page 28, line 13, by striking out "such" and inserting: "Such"; Amend Sec. 12 (Sec. 13.1), page 28, line 16, by striking out "the" and inserting: "The"; Amend Sec. 12 (Sec. 13.1), page 28, line 18, by striking out "the", where it appears the second time, and inserting: "The"; Amend Sec. 12 (Sec. 13.1), page 29, line 7, by striking out "the" where it appears the third time, and inserting: "The"; Amend Sec. 12 (Sec. 13.1), page 29, line 15, by striking out "the" where it appears the third time, and inserting: "The"; Amend Sec. 12 (Sec. 13.1), page 29, line 18, by striking out "in" and inserting: "In"; Amend Sec. 12 (Sec. 13.1), page 30, line 2, by striking out "in" and inserting: "In"; Amend Sec. 12 (Sec. 13.1), page 30, line 7, by striking out "in" and inserting: "In"; Amend Sec. 12 (Sec. 13.1), page 30, line 18, by striking out "the" and inserting: "The"; Amend Sec. 12 (Sec. 13.1), page 31, line 2, by striking out "public utility commission the" and inserting: "Public Utility Commission. The"; Amend Sec. 12 (Sec. 13.1), page 31, line 8, by striking out "public utility commission" and inserting: "Public Utility Commission"; Amend Sec. 12 (Sec. 13.1), page 31, line 13, by striking out "provided however that" and inserting: "Provided, however, That"; Amend Sec. 12 (Sec. 13.1), page 31, line 18, by striking out "Plan of Integrated Operation" and inserting: "plan of integrated operation"; Amend Sec. 12 (Sec. 13.1), page 32, line 1, by striking out "Plan of Operation The public" and inserting: "plan of operation. The Public"; Amend Sec. 12 (Sec. 13.1), page 32, lines 6 and 7, by striking out "Plan of Integrated Operation" and inserting: "plan of integrated operation"; Amend Sec. 12 (Sec. 13.1), page 32, line 19, by striking out "in" and inserting: "In"; Amend Sec. 12 (Sec. 13.1), page 33, line 13, by striking out "public utility commis-

sion" and inserting "Public Utility Commission"; Amend Sec. 12 (Sec. 13.1), page 34, line 3, by striking out "extended" and inserting: "extend"; Amend Sec. 12 (Sec. 13.1), page 34, line 8, by striking out "public utility commission" and inserting: "Public Utility Commission"; Amend Sec. 12 (Sec. 13.4), page 39, line 11, by striking out "any" and inserting: "Any"; Amend Sec. 12 (Sec. 13.1), page 39, line 15, by striking out "no" and inserting: "No."

They were agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 13, page 40, line 1, by striking out "13" and inserting "14."

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendment:

Amend Sec. 14, page 40, line 5, by striking out "14" and inserting: "15."

It was agreed to.

The section was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

REQUEST THAT BILL GO OVER IN ORDER

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent that this bill, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection?

POINT OF INFORMATION

Mr. LANE. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman will state it.

Mr. LANE. Mr. President, have the amendments been adopted?

The PRESIDENT. The amendments have been adopted.

Mr. LANE. Mr. President, Senator Koprivier has requested that the bill go over in its order. I wish, at this time, to object to the bill going over in its order.

Mr. KOPRIVER, JR. Mr. President, I think we will all agree that the bill has in such long amendments that it should be in print and we should all have a chance to see it in print before it passes Second Reading. This is not the first time this request has been made since I have been here. I have not, however, been here as long as Senator Lane, but I already have heard somebody make a request that a bill go over in order, as amended.

Mr. LANE. Mr. President, I wish to inform Senator Koprivier that if he wishes to offer any amendments at all on Third Reading, I will guarantee him there will not be any objection on our side. However, in my opinion, I

think we have had this bill on the Calendar long enough. The amendments were actually simple. If we pass it up to Third Reading, he will have the opportunity of reviewing all the amendments. If he has any objections, he can certainly voice it next week. I feel that I am on solid ground by objecting to the bill going over in its order.

Mr. KOPRIVER, JR. Mr. President, Senator Lane said that the bill consists of just simple amendments. To me, the whole bill is simple. I still insist that the bill go over in its order, as amended. I ask my colleagues to vote for this motion.

The PRESIDENT. Are you moving that this bill go over in order?

MOTION THAT BILL GO OVER IN ORDER

Mr. KOPRIVER, JR. Mr. President, I move that this bill go over in its order, as amended.

Mr. BARR. Mr. President, Senator Lane objected to the bill going over in its order. Therefore, you must rule on that question first.

The PRESIDENT. The objection stops the bill from un-animously going over in its order. Therefore, if Senator Koprivier makes a motion for the bill to go over in order, that must require a vote.

It has been moved by Senator Koprivier, and seconded by Senator Blass, that the bill go over in order, as amended. On this question, there will be a roll call vote.

Mr. LANE. Mr. President, I ask all my colleagues to vote "no" on Senator Koprivier's motion to have this bill go over in order.

(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. KOPRIVER, JR. Mr. President, I ask for a verification of the roll.

The PRESIDENT. A verification of the roll has been requested. The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger	Kessler	Stevenson
Blass	Koprivier, Jr.	Van Sant
Confair	Kromer	Wade
Elliott	Madigan	Wagner
Flack	Mallery	Walker
Harney	Pechan	Whalley
Keller	Shafer	Wolfe

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr	Lane	Ruth
Camiel	McCreesh	Sarraff
Chapman	McGinnis	Scott
DiSilvestro	McMenamin	Seyler
Donolow	Miller	Silvert
Ehrgood	Mullin	Stiefel
Fleming	Murray	Taylor
Hays	Propp	Watkins
Kalman	Ripp	Weiner

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The roll was called and was as follows:

YEAS—21

Berger,	Harney,	Madigan,	Van Sant,
Blass,	Keller,	Mallery,	Wade,
Confair,	Kessler,	Pechan,	Wagner,
Elliott,	Koprivier, Jr.,	Shafer,	Walker,
Flack,	Kromer,	Stevenson,	Whalley,
			Wolfe,

NAYS—27

Barr,	Hays,	Mullin,	Seyler,
Camel,	Kalman,	Murray,	Silvert,
Chapman,	Lane,	Propert,	Stiefel,
DiSilvestro,	McCreesh,	Ripp,	Taylor,
Donolow,	McGinnis,	Ruth,	Watkins,
Ehrgood,	McMenamin,	Sarraf,	Weiner,
Fleming,	Miller,	Scott,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. KOPRIVER, JR. Mr. President, I rise to oppose the second reading of House Bill No. 1297, Printer's No. 1507, as amended.

The PRESIDENT. Will the reporter come to the desk, please?

(Reporter complied.)

The PRESIDENT. Senator Koprivier, are you asking for a roll call on the second reading of this bill?

Mr. KOPRIVER, JR. No. Mr. President, I would like to make some remarks against the bill. I asked for a verification of the roll on the bill going over, as amended. Of course, that was defeated.

The PRESIDENT. That motion was defeated.

Mr. KOPRIVER, JR. All right, now it is up for Second Reading.

The PRESIDENT. It is now up for Second Reading, as amended.

Mr. KOPRIVER, JR. Am I in order then to make a few remarks?

The PRESIDENT. You are in order. I think it would be better if I put the question first.

Mr. KOPRIVER, JR. All right. I asked if I were in order.

The PRESIDENT. After I have put the question, you will be in order.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. LANE. Mr. President, Senator Koprivier is right. He is in order to debate the bill on Second Reading if he so desires. He can ask for a roll call on Second Reading or verify the roll, whatever he desires. I will be glad to listen to his speech.

The PRESIDENT. The question was simply that Senator Koprivier wanted to make some remarks and this would be the time, just prior to the passage or failure of the bill before us.

Mr. KOPRIVER, JR. Thank you, Mr. President, and thank you, Senator Lane.

Two weeks ago, Mr. President, I read out of context a part of a story in The Pittsburgh Press, written by Edwin Beachler, a copyrighted story written in 1953, as follows:

"Miss Alpern Opposes Transit Authority

"Forming an authority to deal with Pittsburgh's mass transportation problems would produce a 'migraine municipal headache.'"

"That's the opinion of City Solicitor Anne X. Alpern,"—who is now Attorney General in the Governor's Cabinet, as we all know—"an outspoken opponent of the Authority plan.

"Her objections pivot around the battle she has waged for the city administration during the last five years, opposing trolley and bus fare increases of Pittsburgh Railways Co.

"Miss Alpern has this view:

"In general, I am opposed to government by Authority because it would mean buying out the Pittsburgh Railways at a high price which has no relation to its real value.

"It would mean taking on an extraordinary undertaking—a migraine municipal headache from which the city would never recover.

"Government," she concludes, "has enough to cope with today. It needs no new problems."

"Favors 4 Proposals

"Miss Alpern favors these proposals:

"1. An integrated mass transportation system, with transfers from one line to another.

"2. Developing rapid transportation through subways.

"3. Converting the County jail at Ross and Fifth Ave., into a terminal 'because a jail does not properly belong in a big business district.'

"4. Substituting buses for trolleys."

I might add, at this time, that they have done that, especially in the line between Pittsburgh and McKeesport and some of the lines down in the West End. I might say at this time that in the last two quarters, the Pittsburgh Railways Company has been in the black, not in the red, for the first in a long time.

Again I read:

"But she insists that these things should be done without the city getting into the mass transportation business. That the trolley and bus system should remain in private operation.

"If the management of Pittsburgh Railways can't solve its own problem," she declares, "then some other management should be given a chance. Railways could buy buses on time just like everyone else is doing. Otherwise, let them confess defeat and then some bus companies can try it. They would do it."

"Sees Moves to Sell Out

"Miss Alpern, who is running on the Democrat nomination for Judge and gained considerable public attention in her fare battles with the trolley firm, claims that:

"Pittsburgh Railways has no intention of staying in business. All their moves have been keyed to the idea of selling out at the highest price to public ownership.

"They (Railways) are intent on keeping the valuation up, to be brought out at a high price . . . They have a valuation of \$50,000,000 (set by the PUC for rate purposes), but nobody would give them \$10,000,000 if they put the system up for sale today."

"Instead of raising fares five times since 1948, she maintains that they should have been kept down to encourage more passengers to use trolleys.

"Her Size-up

"Her size-up of the plight of the trolley firm is as follows:

"If Railways had been by themselves—without the hardship of holding companies—their problems would have been seen and solved long ago.

"When most companies are in a bad way, they go out of business. But Railways always wept—

and stayed in business. Despite all the time they spent in the Court House during receiverships, court battles, etc. . . they never offered to give up their franchises.'

'Detroit's Bargain Hours

'Other cities, with trolleys, like Chicago and Cincinnati, improve,' according to Miss Alpern, 'but Pittsburgh's situation does not improve. Pittsburgh is not solving its problems.

'Detroit has bargain hours for shoppers,' she points out. 'Other cities have short haul rates and night rate incentives. But here they just wring their hands and say TV.

'Mr. Palmer (C. D. Palmer, president of Railways)'—and still president of Railways—"goes around telling everyone that television is responsible for the loss of 100,000 passengers. What are they going to do when color television arrives—"and it has arrived—"go underground?

'If you want to ride the few blocks from the Court House to Jenkins Arcade, the price is the same as riding 12 miles to the end of the line.'

'Can Walk Faster

'Why should it take 20 minutes to ride around the Triangle on a busy day? You can walk it faster. And shuttle service is a piece-meal thing, too.

'The Railways,' she concludes, 'has been like the Pied Piper of Hamelin, driving people away from the city with poor, irregular and indifferent service.

'Their failure to modernize brought on most of the woes—it was the lack of vision in their minds, not television in the homes that caused the decline.'

'In support of the proposal to substitute buses for trolleys, Miss Alpern explains:

'There is nothing against trolleys as such. But the national record proves that they are as out-moded as the steam locomotive in the railroad business and the gas-light in the power business.'

'What Other Cities Did

'Almost every big city is converting to buses. Cleveland sold some trolleys recently that were six years old. Minneapolis and St. Paul sold some that were just three years old. Birmingham and San Antonio are switching. Can all these cities be out of their minds and the Railways be correct?

'Trolleys are just uneconomical to operate. The main shortcomings are their lack of flexibility and high cost. Only two cities are buying trolleys today and then only four or five at a time. Toronto bought a few, also a few more down in El Paso to Juarez on the Mexican line.

'The PUC told the Railways company 13 years ago that the street car is a dying industry and that reconversion is necessary. With a system as old as it is today, no one in his right mind would begin building a trolley system. The cost of reconstructing track is \$100,000 per mile. We introduced evidence during the PUC fight that 125 miles of the Pittsburgh Railway system are over-age.

'Even Fontaine Fox, who drew the "Toonerville Trolley" for 40 years, has reconverted to a bus in his cartoon.

'Some business establishments are anxious to keep the street cars going through their vestibules,' Miss Alpern concludes, adding that 'people should learn to walk again—it would solve traffic congestion.'

'And there you have the views of the city solicitor,' who is now Attorney General of Pennsylvania—"who is attempting to be the first to ride to a Judgeship on a trolley (fight)."

This Bill, as it is written today, even with amendments, is so confusing that most Members of the Senate are not sure they understand it. The worst thing is—and

I predict—that so much confusion exists among employees of the independent bus lines in Allegheny County that they do not know just how long they will have a job. In fact, one of the officials, who is a head mechanic in the diesel line of one of the large bus companies in Allegheny County, told me yesterday that he is quitting his job with this firm because he does not have any protection in his job since there has been so much talk about mass transit.

May I conclude with this statement? Mr. President, when this mass transit bill was last before us, I offered an amendment which would have permitted the people of Allegheny County to vote "yes" or "no" on the authority proposal.

As you all remember, my proposed amendment was defeated by one vote. That deciding vote was cast by Lieutenant-Governor John Morgan Davis, who unquestionably expressed the viewpoint of the Democratic Administration. In the process of voting that day, the vast majority of Republicans on my side voted to put the question before the people at the polls. But what did the Democrats in the Senate do? What did the Representatives of the Democratic Party, which says so piously over and over that it is the voice of the little people, the champion of the little guy, do? What did the Democratic Members of the Senate do when the final vote was taken? Let me tell you. These Democrats voted against the right of the people, the so-called little people. Whom they claim to represent. These Democrats, including the Lieutenant-Governor, voted against the privilege of these very same people to express themselves at the polls.

To me, that solid opposition of the Democratic Senators and the Lieutenant-Governor was a resounding slap in the face to every person who will be affected by this unwanted and mighty expensive mass transit bill.

By your own Democratic opposition to my amendment, you told persons whom you claim to represent that they were incapable of making their own decision at the polls. I think they are capable, and I say this as the Mayor of Duquesne, in Allegheny County, and as a Senator from the Forty-Fifth District. I want my people to say at the polls whether they are for or against this legislation. I would have abided by their decision.

Senator Barr wants to be the Mayor of Pittsburgh. Yet, he engineered solid Democratic opposition to a vote by the people. Why? Why did he not want the people of Pittsburgh to decide this major and costly issue? Does he believe the people of Pittsburgh are not capable of deciding whether a multi-million dollar Authority shall be established and that it was necessary for him to substitute his judgment for theirs?

I am speaking now so that the record may be clear that the great majority of the Republican Senators favored a vote by the people, who, after all, will be soaked for the cost of mass transit, if enacted, and that the alleged champions of the people, the Democrats, as ordered by Senator Barr and entrenched by the Democratic Lieutenant-Governor, refused that right.

Let the record show that the Democratic Members of this Senate, the Lieutenant-Governor, Joe Barr and right down to the last one of them on the Democratic side of this Chamber, gagged the people of Pittsburgh and all of Allegheny County in one of the worst illustrations of

"Let the public be damned" I have ever witnessed on the floor of this Senate.

Therefore, Mr. President, I ask my colleagues to again vote "no" on the second reading of this bill, as amended.

Mr. LANE. Mr. President, I would like the privilege of interrogating Senator Koprivier, if I may.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Koprivier, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. LANE. Senator Koprivier, you quoted a copyrighted story, allegedly stating that Miss Alpern made all of these statements, and I am wondering if you could give me the date of that story.

Mr. KOPRIVER, JR. If you had been listening, you would have heard. It was in 1953. I said that in the beginning.

Mr. LANE. I wanted it for the record. Thank you very much, Senator Koprivier.

Mr. President, Miss Alpern, at that time, had a major problem six years ago with the Pittsburgh Railways Company, and reference was made to a \$50,000,000 evaluation at that particular time.

I might also say that since 1953, Pittsburgh has experienced some difficulties in mass transportation and, hence, we have this legislation.

In the first place, the County Commissioners of Allegheny County would be granted the authority under this enabling act, to institute a mass transit Authority in Allegheny County. The County Commissioners of Allegheny County have the prerogative to request and set up a referendum for the people of Allegheny County. What we are doing, we are giving home rule to Allegheny County like we gave the city of Philadelphia under its charter.

On evaluations and transfers, as far as any moneys paid for these transit Authorities, the courts in Allegheny County will have final say on what the costs might be and the amount which might be paid. It seems that the opposition is building up a monstrosity that does not exist. We are only giving the local government of Allegheny County the right, under their County Code, to operate a mass transit Authority.

In concluding my rebuttal, what I want to do is show you something in writing, contained in a bill on our Calendar. It is Senate Bill No. 449, sponsored by Senator Wade, Senator Walker, Senator Mullin and Senator Kalman. This bill was released from the Committee on Highways on August 25, 1959, by Senator Wade, the Chairman.

On page 2, it says this, and I hope you will follow me very closely:

"The economic problems of the mass transportation systems in the Commonwealth have increased greatly in the last several years there are many cases where the companies have been unable to pay the high cost of labor and equipment as well as the numerous taxes imposed upon them some of these companies have stopped providing transportation and have gone out of business while others have been required to make drastic reductions in service in order to remain in existence statistics have shown that in some industrial sections of the Commonwealth over twenty-five per centum of the workers depend upon public transportation in order to travel to and from their place of employment.

"The continuation"—if you please—"of mass

transportation systems is vital to the welfare of the Commonwealth and in the interest of the continuation of this service the General Assembly finds that relief from some forms of taxation must be granted."

The gist of this preamble to this particular piece of legislation is indicative to me that we must have mass transportation systems in the industrial areas, and in the areas which are heavily populated, in order to take care of the economy of the Commonwealth of Pennsylvania.

I feel this is good legislation. I do not think we are taking a thing away from the people. All we are doing is trying to streamline the operation of the transportation situation in Allegheny County. We are placing the authority exactly where it belongs, with the Board of County Commissioners of Allegheny County.

Senator Koprivier, let me also say that on page 36 of the bill, it spells out that those workers which might lose their positions will be taken care of with the Authority. It is spelled out from line 3 on to line 11, on page 36. The only thing it excludes are the executives. Therefore, it seems to me this is good legislation. I hope that all of you gentlemen see the light and vote in support of this measure.

Mr. KOPRIVER, JR. Mr. President, this is the first time in Pennsylvania, to my knowledge—and I tried to do a little research on this problem—where we are taking away a man's business and not permitting him to go back to that business again. Just look at that mural on the wall and it will remind you of Gettysburg. There were hundreds of thousands of men who died at Gettysburg in defense of principles.

This is a principle which we are fighting for in this great Commonwealth of Pennsylvania; namely, free enterprise and eminent domain. You are tearing down the very fundamental parts of government in this great Commonwealth. That is important, and more important than anything else.

Mr. BLASS. Mr. President, it is very seldom that I take the floor of the Senate to express my views upon legislation. However, I could not refrain from doing so on this occasion when it involves the question of the rights, privileges and immunities of the people of this Country and this Commonwealth, as guaranteed not only by the Constitution of Pennsylvania, but the Constitution of the United States. In my opinion, this piece of legislation is a vicious assault upon the permanence of the democratic form of government. It transgresses the rights of the people. When it invades such a sphere, it is time for someone to take the floor of the Senate in defense of our liberties and our rights.

This, in my opinion, is socialistic in its nature. It involves the taking of property and businesses, as expressed by the gentleman from Allegheny whether the owner of the business desires to part with his business or not. That is a dangerous sphere to invade. It is dangerous to the permanence of our free institutions. It is dangerous to the doctrine of free enterprise. It disrupts the entire democratic institution, as founded by our fathers in the formation of our government.

Mr. President, I want to voice my opposition to anything of this nature. If we permit this dangerous precedent to go through, there is nothing in God's world that would prevent an Authority, under the Pure Food Law,

from commandeering every milk producing business in the Commonwealth. If this precedent continues, there is nothing which would prevent the establishment of a Transportation Authority throughout the Commonwealth that would permit the seizure of all the truck companies which are operating privately and which are satisfied in their operation.

Therefore, Mr. President, I want my colleagues to know that I voice my eternal opposition to any legislation of this kind.

Mr. BARR. Mr. President, I do not think the men who drew up this legislation are at all socialistic. If the dear gentleman from Erie only knew those names, I think he would want his words stricken from the Legislative Journal.

If this legislation is socialistic, then the people in New York, the people in Philadelphia, the people in Cleveland, the people in Chicago, the people in Boston and the people in Los Angeles are all socialistic because they all have mass transit Authorities.

Mr. KESSLER. Mr. President, "Green Pastures" is the name of a play that appeared on Broadway a few years ago. It is a play about God, His Archangels and His people. In one scene the Lord says to the Angel Gabriel something like this: "Everytime I pass a miracle, I have to pass three or four more to correct the trouble from the first one."

Now that is just about the position we find ourselves in with respect to public transportation. First we grant a transportation corporation a monopoly franchise to use the streets of a city to transport the public. Then because some monopolies sometimes disregard the public, we set up a Public Utility Commission, with powers to set rates, to determine whether service shall be increased or decreased, and to regulate the business generally. Add to that the innumerable laws on public liability, minimum wage and maximum hours regulations, compulsory labor union recognition and collective bargaining, and you have public transportation hamstrung, so haltered and hobbled that it atrophies.

Denied the life-giving atmosphere of competition, denied the self-rejuvenating power of adequate earnings, depreciation and reserves, denied the right to adjust quickly to changing conditions, public transportation becomes anemic and sluggish. Its equipment deteriorates and its personnel becomes indifferent, no doubt because they see no future for the industry by which they are employed. Those of its customers who can, desert it in disgust; those who cannot, complainingly suffer with it. The whole wonderful idea of a community transportation system that is to serve the public in its many comings and goings becomes a major public problem—a calamity.

Now what do we do, Mr. President? Do we loosen the shackles that have brought public transportation to this deplorable condition? Do we permit the natural laws of economics to come into play, to abate the sickness and renew the strength of the patient? Do we breath into public transportation the invigorating air of freedom, of responsibility, of tough competition, of reward for service well done?

No. Mr. President, we abandon all the fundamentals that have made this Country of ours and our people the greatest in the world. We are going to perform another miracle. We are going to pass another law.

If private individuals cannot run the transportation system, we will have the government do it. We will set up an Authority. How can we so deceive ourselves as to believe that government operation is better than private? Show me one instance where government operation has not meant "rigorous and arbitrary" regulation. Show me where government operation has provided better service, where it gives the consumer a choice. "No," government says, "here it is. Take it and like it."

Let me cite an outstanding example, the Post Office Department of the United States. Here is a monopoly in its finest sense, government-owned and government operated. A feeling of pride surges through us when we read the inscription on the New York Post Office Building: "Neither snow, nor rain, nor heat, nor gloom of night, stays these couriers from the swift completion of their appointed rounds." And yet, lacking the spur of competition, the United States Post Office Department is sluggish. Its methods are antiquated. Much of its equipment is outdated. If I mail a letter in Lancaster by 6:00 p.m. with a bit of luck it may reach Harrisburg and be delivered by 9:00 a.m. the following day.

By contrast, consider the excellent telephone service we enjoy. I can pick up the telephone in my home in Lancaster and in two minutes be talking to the person I called in Harrisburg. To be sure, it costs me 35¢ to place that call as against the 4¢ for mailing the letter, but on a time-cost basis, the telephone call is by far the cheaper.

And what about the Post Office monopoly? Is it earning money? On the contrary. Every year the Federal Government has to reach into the public till to the tune of several million dollars to make up the deficit which the Postal Service incurs. And, Mr. President, if we set up this mass transit Authority for Allegheny County, it will just be a matter of time until the deficits that it incurs will have to be made up out of the public till by additional taxes on the citizens, whether they patronize the transportation system or not. At the same time, by its very creation, we provide the means of extinguishing dozens of private tax paying transportation companies.

You know, Mr. President, the term "Authority" is quite an appropriate one for this undertaking. According to Webster, "Authority" means "legal or rightful power, a right to command or to act, dominion, jurisdiction." We speak of the authority of a prince over his subjects, or the authority of a parent over his children. This proposed Authority will have the right to take over every form of transportation for the public in the county of Allegheny. It was originally proposed that the Authority be relieved of all license taxes or gasoline taxes. It will not be required to pay any corporation taxes. It will not come under the surveillance of the Public Utility Commission. We remove practically all of the bonds and restraints that we have imposed on private corporations in the transportation business, and we should certainly expect that the Authority would operate effectively and profitably. By "profitably" I mean in the sense of low rates and good service to the people. However, if it works like other governmental-operated projects, it will be bound up with red tape. It will provide service when and where it wants to, not necessarily what the people would like to have. In short, it will offer its service like any other governmental-operated business, on a "take it or leave it" basis.

Transcending all that I have said heretofore, I would suggest to you that:

1. The use of authorities is an obvious device for circumventing constitutional restrictions on the creation of debt.

2. The authorities device is a method of government whereby government temporarily refuses to face up to its fiscal responsibilities. Such expédients eventually fail, I assure you.

3. The authorities expediency is contrary to a representative government, above and beyond the proper control by the electorate.

Let us have continuing faith in the free enterprise system which, at any odds, is superior to governmental mishandling. Let us remove the unreasonable shackles which we placed around some of our public utilities. Let us permit competition in the transportation field. In the past, it has been true that whenever the people wanted a service, whenever there is a demand for something, some enterprising individual will begin to render that service or supply that demand. If the business is profitable, more individuals will get into it, with the result that prices are held down and service is improved. It is not necessary to put in public money for a transportation system. Where there is an economic demand for a product or a service, people will voluntarily invest their savings in the project whenever they believe that the return will justify the cost. Free people do not knowingly support uneconomic expenditures of effort or capital.

In the place of this system of free enterprise, which has proved successful throughout the long years of our nation's existence, the measure we are considering today would substitute a government monopoly. It would establish this monopoly without the consent of those affected, as expressed in an open election, and it would clothe the monopoly with almost absolute powers.

This is Big Government at its worst.

This is Big Government not just meddling with business, but absorbing business.

If the business which Big Government, under this measure, proposes to operate is to prosper, customers must be found. The customers are the tax payers, the voters, who had so little to say in the creation of this monument to state socialism.

To compel, persuade, cajole, force people to ride the Authority's transit system, every government weapon, from propaganda, to restrictive legislation can be, and no doubt will be, used.

This, Mr. President, is, in my opinion, contrary to everything that American free enterprise has taught. It contradicts the principles that we have learned in school and practiced in business. It shows to the world a new, and unpleasant face—a face very like that of the dictatorships we all condemn.

If Allegheny County's privately-owned transit systems can be taken over by an Authority whose actions are subject to few, if any, of the checks and balances that other government agencies are, or that private businesses are, then other industries, other utilities and other businesses can go the way of the privately-owned bus companies of Allegheny County.

I ask my colleagues, Mr. President, to vote down on second reading, this startling break-through of authoritarian socialism in Pennsylvania.

Mr. LANE. Mr. President, I do not wish to prolong this debate, but in reply to Senator Kessler, let me say, first, that the Post Office Department is losing \$10,000,000 a year because of low postage rates on periodicals and magazines. Secondly, if the gentleman reviews page 27 of this particular bill, he will find that this mass transit Authority would pay for vehicle registration fees, liquid fuel taxes, fuel use taxes, and gross receipt taxes imposed as an excise on the use of public highways and tolls imposed by the Pennsylvania Turnpike Commission.

In addition to that, Mr. President, I want to name some of these wild-eyed socialists about whom some of the Members were talking. We have John A. Feigel and Henry A. Lopasti, who are associated with the Hillman interests. We have the Superintendent of the Catholic Schools, and the President of the Golden Triangle Association of Pittsburgh. We have the President of the Commonwealth Bank of Pittsburgh, the President of the Real Estate Company of Pittsburgh, the Executive Director of the Chamber of Commerce of the city of Pittsburgh and many, many others. If these men are all wild-eyed socialists, then I think we need a new definition.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

The roll was called and was as follows:

YEAS—27

Barr,	Hays,	Mullin,	Seyler,
Camel,	Kalman,	Murray,	Silvert,
Chapman,	Lane,	Propert,	Stiefel,
DiSilvestro,	McCreesh,	Ripp,	Taylor,
Donolow,	McGinnis,	Ruth,	Watkins,
Ehrgood,	McMenamin,	Sarra,	Weiner,
Fleming,	Miller,	Scott,	

NAYS—21

Berger,	Harney,	Madigan,	Van Sant,
Blass,	Keller,	Mallery,	Wade,
Confar,	Kessler,	Pechan,	Wagner,
Elliott,	Koprivier, Jr.,	Shafer,	Walker,
Flack,	Kromer,	Stevenson,	Whalley,
			Wolfe,

So the question was determined in the affirmative.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1472, Printer's No. 640, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1554, on second reading, entitled:

An Act amending the act of June 21 1937 (P L 1932) entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribed rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record * * *" authorizing the Supreme Court of Pennsylvania to make rules for the orphan's courts for the purpose of making information available with respect to charitable gifts and charitable gifts and charitable trusts and to facilitate the enforcement thereof.

be recommitted to the Committee on Rules.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1797, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second third and fourth class and validating certain taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1897, Printer's No. 1657, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2033, entitled:

An Act amending the act of June 12 1951 (P L 533) entitled "The Mental Health Act of 1951" changing the procedures for the handling of patients' funds and repealing inconsistent laws.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Section 1 (Section 811.1), page 3, lines 2 to 7, by striking out "if the superintendent submits with such" in line 2, all of lines 3 to 6, and "for the benefit of the patient the" in line 7, and inserting: "The"; Amend Section 1 (Section 811.1), page 5, line 17, by striking out "or patient."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2033, Printer's No. 1394, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for Vocational Education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2216, Printer's No. 1233; and

House Bill No. 2218, Printer's No. 1548.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act declaring and adopting the poem, "Pennsylvania" by Gerall G. Dovenspike, a Pennsylvanian, as the official poem of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 998, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by defining distressed school districts authorizing the Superintendent of Public Instruction or his designated representative to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction or his designated representative with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE RESOLUTION

EXTENDING CONDOLENCE UPON THE DEATH
OF FRANK F. HAUSMAN

Mr. VAN SANT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. VAN SANT, WEINER, PROPERT, TAYLOR, KELLER, SCOTT, RUTH, ROONEY and BARR offered the following resolution (Serial No. 68), which was read, considered and agreed to:

In the Senate, September 16, 1959.

The Members of this Senate are shocked and grieved to learn of the sudden and unexpected death of Frank F. Hausman, a prominent and leading citizen of Allentown, on September 14, 1959.

A native of Allentown, and educated in the public schools there, he entered into the paving business in 1928 and at the time of his death was President and Treasurer of Frank F. Hausman Paving Company, Frank F. Hausman Equipment Rental Corporation, and Frank F. Hausman Materials Company.

Throughout the years as a businessman, Mr. Hausman was active as a worker and officer of the Democratic Party. An F. D. R. man in 1936, Mr. Hausman was elected by the party that year for the first time as one of its two delegates to the Democratic National Convention. Every four years from that time on, he was picked to represent the party at the big National convention. In 1938, he was the party's candidate for State Senator but lost out in the general election.

A devoted citizen, for many years he served many community organizations, notably as President of the Allentown Fair and the Lehigh Valley Club and was a member of the State Highway and Bridge Authority.

Frank F. Hausman was an inspiration to many of his fellow citizens and friends as he gave generously of his time, talent and energy in order to better his community, his fellowman and to encourage worthy causes; therefore be it

Resolved, That in the passing of Frank F. Hausman, his community and many friends have lost one who labored long and devotedly on their behalf; and be it further

Resolved, That in evidence of the deep sympathy of the members of this Senate, a copy of this resolution be sent to his widow, Mrs. Pearl K. Hausman.

BIRTHDAY FELICITATIONS EXTENDED TO CHIEF
CLERK OF THE SENATE, HONORABLE
G. GRAYBILL DIEHM

The PRESIDENT. The Chair would like to bring to the attention of the Members of the Senate the fact that one of our beloved officers of the Senate, the Chief Clerk, the Honorable G. Graybill Diehm, will celebrate his birthday tomorrow.

I think we should give him a big hand.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 141, Printer's No. 1661;
Senate Bill No. 143, Printer's No. 1402;
Senate Bill No. 639, Printer's No. 1356;
Senate Bill No. 664, Printer's No. 1398; and
Senate Bill No. 1035, Printer's No. 1222.

INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. LANE. Senator Pechan, in view of the fact that the Republicans are going to hold a Caucus at the close of today's Session, could you inform me as to just how much you are actually going to cut the budget so that I will be prepared?

Mr. PECHAN. Mr. President, Gimbel's does not usually tell what Macy's are going to do. Mr. President, as you know, I was with the American Dental Association in New York for two days, and I was not in our Republican Caucus but for a few moments this morning because of other business and, truthfully, I do not know whether they are going to talk about Senator Lane or the budget.

Mr. LANE. Mr. President, I am happy to know that Senator Pechan has entered a diversity of fields. He talked about Gimbel's and Macy's and ended up by saying that he was with the Dental Association for quite some time.

Are you going to quit the dental profession, Senator Pechan, and go in with Gimbel's and Macy's?

Mr. PECHAN. Senator Lane, if I quit the dental profession, I could not afford to be here on Mondays, Tuesdays, and Wednesdays.

Mr. LANE. Then you admit that Gimbel's and Macy's are not making any money?

Mr. PECHAN. Mr. President, I left when Khrushchev came.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Monday, September 21, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:06 o'clock, p. m., Eastern Standard Time, until Monday, September 21, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, September 16, 1959

The House met at 9:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, may the words of the Psalmist: "Create in me a clean heart, O God, and renew a right spirit within me. Cast me not away from Thy presence, and take not Thy Holy Spirit from me," ever be the guiding spirit within our lives. As good government has been given and fostered by Thee, we pray this day that Thou wilt grant to these servants of the Commonwealth Thy strength and Thy power; so that the lives they live and the principles for which they stand may be pleasing to Thee and engender in others Thy way of truth, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 15, 1959 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. AGNEW. HOUSE BILL No. 2381.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting other than licensed dealers from sending, ordering or purchasing firearms by mail.

Referred to the Committee on Law and Order.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 24.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959.

Referred to the Committee on Rules.

SENATE BILL No. 535.

An Act amending the act of June 23, 1931, (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 738.

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

Referred to the Committee on Judiciary.

SENATE BILL No. 920.

An Act amending the act of April 12, 1951 (P. L. 90) en-

titled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

Referred to the Committee on Rules.

SENATE BILL No. 975.

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

Referred to the Committee on Judiciary.

SENATE BILL No. 1041.

An Act amending the act of June 20, 1919 (P. L. 521) entitled as amended "Transfer Inheritance Tax Law" excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies and corporations or associations operated exclusively for the benefit of its members and not operated for profit.

Referred to the Committee on Rules.

SENATE BILL No. 1102.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

Referred to the Committee on Boroughs.

SENATE BILL No. 1103.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

Referred to the Committee on Townships.

SENATE BILL No. 1106.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

Referred to the Committee on Rules.

SENATE BILL No. 1107.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

Referred to the Committee on Insurance.

SENATE BILL No. 1109.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct the titles were publicly read as follows:

HOUSE BILL No. 56.

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments.

HOUSE BILL No. 1143.

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364) providing for the corporate name of contents of the articles of incorporation and articles of merger prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings.

HOUSE BILL No. 1144.

An Act amending the "Nonprofit Corporation Law" of May 5, 1933 (P. L. 289) providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

HOUSE BILL No. 1145.

An Act amending the act of June 8, 1911 (P. L. 710) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations * * *" providing for the withdrawal from business and the surrender of the certificate of authority.

HOUSE BILL No. 1228.

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

HOUSE BILL No. 1823.

An Act providing for the creation maintenance and operation of an employees' retirement system in cities of the second class A and imposing certain charges on cities of the second class A and school districts in cities of the second class A.

HOUSE BILL No. 2031.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) increasing the amount of contracts in which borough officials may have no interest.

SENATE BILL No. 699.

An Act amending the act of June 4, 1943 (P. L. 886) entitled as amended "Municipal Employees' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

SENATE BILL No. 835.

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1702

Mr. COMER. Mr. Speaker, I move that the vote by which House Bill No. 1702, Printer's No. 1634, entitled:

"An Act relating to State highways, roads and bridges and certain use thereof, amending revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto * * *"

was defeated on Final Passage Tuesday, September 15, 1959, be reconsidered.

Mr. KEE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Comer vote on the final passage of this bill?

Mr. COMER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Kee vote on the final passage of this bill?

Mr. KEE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. COMER. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. KNECHT for today.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 677.

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines * * *" changing penalties.

HOUSE BILL No. 679.

An Act amending the act of March 26, 1925 (P. L. 83) entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels * * * and providing penalties" eliminating licenses and license fee requirements.

HOUSE BILL No. 831.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for the issuance of certain permits within each county.

HOUSE BILL No. 879.

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations * * * requiring certain information and reports and prescribing penalties" extending the provision of the act.

HOUSE BILL No. 1455.

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198) changing penalties in regards to certain actions relating to registration and furnishing of bonds.

HOUSE BILL No. 1654.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) increasing the rate and regulating the taxing of house trailers.

HOUSE BILL No. 1835.

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457) further regulating the exercise of powers by the Department of Banking and boards thereof * * *.

HOUSE BILL No. 2259.

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year providing for registration fees.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1413, entitled:

An Act amending the "Credit Union Law" approved May 26, 1933 (P. L. 1076) further regulating requirements for incorporation deposit of funds subjects for investment of funds real and personal property held for purposes of the credit union and membership in such unions * * *.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the Supreme Court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) further regulating the licensing and operation of man-made lakes and ponds where fishing is permitted upon payment of fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 689, entitled:

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 476, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) defining the word "taxes" to include penalties and interest.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) decreasing one tax clarifying certain types of aircraft.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2269 entitled:

An Act amending the "Anchracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2279, entitled:

An Act repealing Sec. 4 act of April 22, 1794 (3 Sm L 177) entitled "An act for the prevention of vice and immorality * * *" removing prohibitions and procedures relating to profaning the Lord's day the use of profane language and drunkenness.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2361, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No 77) making technical changes and clarifying language.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2362, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No 78) making technical changes and clarifying language.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly * * *" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 82, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing pay-

ments by the Superintendent of Public Instruction to certain designated depositories.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 114, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing townships to acquire and maintain historical property and permitting township planning commissioners to make recommendations in relation thereto.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 160, Printer's No. 172, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 429, entitled:

An Act amending the act of May 15, 1933 P. L. 624) entitled as amended "Banking Code" further providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptances and bills of exchange.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 650, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943 (P. L. 49) entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 713, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" increasing the per diem payments and traveling allowances of delegates to conventions of county associations of township officers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employees of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. -012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 32) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

MOTION TO RECONSIDERATION OF VOTE ON HOUSE BILL No. 459

Mr. GAILY. Mr. Speaker, I move that the vote by which House Bill No. 459, Printer's No. 1498, entitled:

"An Act amending 'The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships', approved April 29, 1937 (P. L. 487), changing provisions relating to cancellation of registration."

was defeated on Final Passage Thursday, September 10, 1959, be reconsidered.

Mr. O'NEIL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from York, Mr. Gaily vote on the final passage of this bill?

Mr. GAILY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Clearfield, Mr. O'NEIL vote on the final passage of this bill?

Mr. O'NEIL. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. GAILEY. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1822 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1822, Printer's No. 1134, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. LOPRESTI. Mr. Speaker, I move that the commu-

nication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 2219

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2219, Printer's No. 1218, entitled "An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine."

DAVID L. LAWRENCE.

CONGRATULATIONS

The SPEAKER. The Chair is informed that this is the natal day of our competent, beloved Chief Clerk. He is 33, the Chair understands.

The Members joined in singing Happy Birthday.

The SPEAKER. The Chair recognizes the Chief Clerk.

The CHIEF CLERK (Joseph Ominsky). Mr. Speaker, Members of the House, it is seldom that one can celebrate two birthdays on the same day. Actually the birthday ought to be for my wife, because it is my wife's birthday; my birthday will be on Sunday. Certainly I will convey the birthday greetings to Mrs. Ominsky and thank you for your birthday song for me, which will be on Sunday.

The SPEAKER. The House will observe that we celebrate birthdays with a reckless disregard of the calendar.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Agnew,	Frank,	McCandless,	Rudisill,
Anderson,	Frascella,	McCann,	Sakulsky,
Arlene,	Fulmer,	McCormack,	Scarcelli,
Ashton,	Galley,	McDonald,	Schaafl,
Auker,	Gallagher,	McKeever,	Schuster,
Balthaser,	Garlock,	McLaughlin,	Schwartz,
Barton,	Gelfand,	Machmer,	Seltzer,
Bell,	George,	Mahan,	Sherman,
Bonner,	Gibb,	Markley,	Shupnik,
Bower,	Goldstein,	Maxwell,	Silverman,
Bowman,	Goodrich,	Meholchick,	Snare,
Branca,	Gramlich,	Miller, B. Z.,	Snider,
Brenninger,	Guthrie,	Miller, H. G.,	Stank,
Breth,	Hamilton,	Mills,	Steckel,
Buchanan,	Heim,	Monroe,	Stevens,
Burns,	Henzel,	Muldowney,	Stewart,
Capitolo,	Hocker,	Mullen,	Stimmel,
Cianfrani,	Holliday,	Murphy, A. J., Jr.,	Stone,
Cioffi,	Holt,	Murphy, P. J.,	Stoner,
Clarke,	Horst,	Murray, H. P.,	Stroup,
Comer,	Isaacs,	Murray, J. J.,	Sullivan,
Crossin,	Jenkins,	Musto,	Tompkins,
Curwood,	Jim,	Naugle,	Trusio,
Davis,	Johnson, R.,	Needham,	Ujobal,
Dengler,	Jones, F. R.,	O'Donnell, J. A.,	Varallo,
Dennison,	Jones, T. H. W.,	O'Donnell, J. P.,	Varner,
Devlin,	Jump,	Odorisio,	Verona,
Donahue,	Kamyk,	Ogilvie,	Wall,
Donaldson,	Kee,	O'Neil,	Walsh,
Dougherty,	Keiser,	Parlante,	Wargo,
Down,	Kernaghan,	Pashley,	Weidner,
Edwards,	Kessler,	Perry, H. H.,	Wescott,
Eilberg,	Kooker,	Petrosky,	Wheeler,
Eshback,	Korns,	Polaski,	Williams, A. D. Jr.,
Eshleman,	Kovolenko,	Polen,	Williams, E. S.,
Ewing,	Kubitsky,	Prendergast,	Willard,
Farabaugh,	Lee, A. M.,	Price,	Willaredt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reitman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
		Royer,	Speaker

NAYS—0

NOT VOTING—31

Blair,	Heffner,	Magee,	Perry, P. E.,
Boles,	Irvia,	Merry,	Strausser,
Boris,	Johnson, A. W.,	Mihm,	Taylor,
Brown,	Knecht,	Moran,	Thompson,
Capano,	Kornick,	Munley,	Welsh,
Cooper,	Lamb,	Murray, P. G.,	Whittaker,
Dennis,	Light,	Nelson,	Wilt,
Heavey,	McInroy,	O'Dell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1305, Printer's No. 1648, and

House Bill No. 1528, Printer's No. 1636,

were passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 1075, Printer's No. 1650;

House Bill No. 1879, Printer's No. 1651;

House Bill No. 1906, Printer's No. 1632; and
House Bill No. 2302, Printer's No. 1652;
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission * * * authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 16, by inserting after "a": "member of such house as a."

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out "this" and inserting: "his."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 2353, Printer's No. 1641;

Senate Bill No. 375, Printer's No. 1403; and

Senate Bill No. 832, Printer's No. 1436,

were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1365, Printer's No. 514, on page 10 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1376, Printer's No. 632, on page 11 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1376, Printer's No. 1253, on page 11 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

The SPEAKER. Without objection, all bills on third reading on pages 11, 12, 13 and 14 will be passed over. The Chair hears none.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 814, Printer's No. 1512, on page 15 of today's calendar, bills on third reading postponed.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 632.

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

Amnd Title, page 1, line 7, by striking out after the word "printed" the word "invoices" and inserting in lieu thereof the words "delivery tickets"; line 8, by striking out after the word "such" the word "invoices" and inserting in lieu thereof the word "delivery tickets."

Amend Section 1, page 2, line 9, by striking out after the word "printed" the word "invoice" and inserting in lieu thereof the words "delivery ticket"; line 18, by striking out after the word "printed" the words "invoice shall be delivered or left on the premises" and inserting in lieu thereof the words "delivery ticket rendered the customer"; page 3, line 2, by striking out at the beginning of the line the words "a copy of" and inserting the word "with"; line 2, by striking out after the word "invoice" the words "shall be furnished to the customer if not present at the time of delivery."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Agnew,	Fox,	McDonald,	Sakulsky,
Anderson,	Frank,	McKeever,	Scarcell,
Arlene,	Frascella,	McLaughlin,	Schaaf,
Ashton,	Fulmer,	Machmer,	Schwartz,
Auker,	Galley,	Mahan,	Seltzer,
Balthaser,	Gallagher,	Markley,	Sherman,
Barton,	Garlock,	Maxwell,	Shupnik,
Bell,	Gelfand,	Meholchick,	Silverman,

Bonner,	George,	Miller, B. Z.,	Snare,
Bower,	Gibb,	Miller, H. G.,	Snider,
Bowman,	Goldstein	Mills,	Stank,
Branca,	Goodrich,	Monroe,	Steckel,
Brenninger,	Gramlich,	Muldowney,	Stevens,
Brett,	Guthrie,	Mullen,	Stewart,
Buchanan,	Hamilton,	Murphy, A. J., Jr.	Stimmel,
Burns,	Helm,	Murphy, P. J.,	Stone,
Capitolo,	Henzel,	Murray, H. P.,	Stoner,
Cianfrani,	Holt,	Murray, J. J.,	Strausser,
Cioffi,	Isaacs,	Musto,	Stroup,
Clarke,	Jenkins,	Naugle,	Sullivan,
Comer,	Jim,	Needham,	Tompkins,
Crossin,	Johnson, R.,	O'Donnell, J. A.,	Trusio,
Curwood,	Jones, F. R.,	O'Donnell, J. P.	Ujobai,
Davis,	Jones, T. H. W.,	Odorisio,	Varallo,
Dengler,	Jump,	Ogilvie,	Varner,
Dennison,	Kamyk,	O'Neil,	Verona,
Devlin,	Kee,	Parlante,	Wall,
Donahue,	Kernaghan,	Pashley,	Walsh,
Donaldson,	Kessler,	Perry, H. H.,	Wargo,
Dougherty,	Kooker,	Petrosky,	Weidner,
Down,	Korns,	Polaski,	Wescott,
Edwards,	Kovolenko,	Polen,	Wheeler,
Eilberg,	Kubitsky,	Prendergast,	Williams, A. D., Jr.,
Eshback,	Lee, A. M.,	Price,	Williams, E. S.,
Eshleman,	Lee, K. B.,	Pursley,	Willard,
Ewing,	Leonard,	Reibman,	Willaredt,
Farabaugh,	Limper,	Reidenbach,	Wood,
Fetterolf,	Lippincott,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Wynd,
Fineman,	Luigard,	Riley,	Yatron,
Floyd,	Lutty,	Rovasek,	Yetter,
Flynn,	McCann,	Royer,	Zimmerman,
Foerster,	McCormack,	Rudisill,	Andrews,

Speaker

NAYS—5

Hocker,	Holliday,	Horst,	Keiser,
			McCandless,

NOT VOTING—31

Blair,	Heffner,	Magee,	Perry, P. E.,
Boles,	Irvis,	Merry,	Schuster,
Boris,	Johnson, A. W.,	Mihm,	Taylor,
Brown,	Knecht,	Moran,	Thompson,
Capano,	Kornick,	Munley,	Welsh,
Cooper,	Lamb,	Murray, P. G.,	Whittaker,
Dennis,	Light,	Nelson,	Wilt,
Heavey,	McInroy,	O'Dell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection

House Bill No. 1992, Printer's No. 1509, was passed over at the request of the SPEAKER.

INTERROGATION

Mr. LIPPINCOTT asked and obtained unanimous consent to interrogate the Majority Leader.

I just wanted to ask the gentleman one question, Mr. Speaker, and that is, why were we held over for this day's Session?

Mr. McCANN. I can answer that very plainly, Mr. Speaker. Would you care to go to caucus and act on the bills and then we will come back here and work on the calendar, or would you rather get home today and do them on Monday?

Mr. LIPPINCOTT. Well, I say, Mr. Speaker, we caucused on plenty of bills that could be called up today.

Mr. McCANN. Mr. Speaker, would the gentleman care to sit at the conference table up there when we mark the calendar, and then mark them that way?

Mr. LIPPINCOTT. I do not know what the position of the leadership was on our side. I understand, however,

that there are a tremendous number of absentees on your side.

Mr. McCANN. Mr. Lippincott, the question of absenteeism on the bills did not enter into the situation. May I assure you if that is what you want to do, we will go into caucus and act on the bills. The decision was made by your leadership as to whether you want to caucus or not on these bills today, and if that is the attitude you want to take, we will stop now and go into caucus and come out here and work on these bills.

Mr. TOMPKINS. Mr. Speaker, in line with what the Majority Leader has said, I have ten bills on my calendar which were o.k.'d by our caucus which the Majority Leader asked to go over.

Mr. McCANN. That is true, and there are how many—

Mr. TOMPKINS. And we had about an equal number on the calendar which we asked go over because we had not caucused on them, so it is not all entirely the Republicans fault for not having a caucus such as you suggest.

Mr. McCANN. Mr. Speaker, no one has suggested that it was. There are many days in which there may be a bill in which you are ready and the membership on this side do not have the amendments or have not cleared the information. I believe that they should get together on their markings of the calendar. I have no objection to the situation. I am here until Friday.

Mr. LIPPINCOTT. I am afraid I do not hear a message of peace, Mr. Speaker. The point I am trying to make is that this decision could have been made yesterday.

Mr. McCANN. What decision, Mr. Speaker, could we have made yesterday?

Mr. LIPPINCOTT. The decision as to whether or not we would roll bills that had or had not been caucused on.

Mr. McCANN. Well that decision, Mr. Speaker, the gentleman should have made. I think you know the situation as it exists here. You would go into caucus again on some of the bills. We tried to act on as many as we could. Some are not in print, but the bills are coming along now pretty well. There are only about four or five that are not in print, I believe, at this point, that were amended. They agreed there would be no caucus today. We would act on what we could and move them up so they would be in position on Monday for third reading.

Mr. LIPPINCOTT. Well now, Mr. Speaker, I, in a way, will bear an olive branch. I will say this, I do not feel that the decision or the situation that we have gotten into was entirely the fault of either side, but it seems to me that we have wasted a day completely. It seems to me that many of us could have done something a lot better than sit through a consent calendar. I hope that we can either have a working day or not have one.

Mr. McCANN. Mr. Speaker, so that the record will be rather clear I consider this a working day, when you move up bills. I believe at this point there are eight bills to bring off the table, in which we will either nonconcur or concur, and in some cases appoint conference committees. I do not believe anyone can say that I have not insisted that every day be a working day in which we should accomplish as much as we possibly can and debate the bills as thoroughly as anyone wants to debate them in this House. I did not know that there is any objection on the situation. I say to those who probably object to the fact that in some cases we do not act on many bills this day, I can recall on a Wednesday when there were 21

bills ready to be acted upon and we could not act on them because the printed bill was not here. Is that the fault of either of the Floor Leaders? I do not believe it is. Those situations have to be faced. I think if the gentleman has any objection he will make it to Delaware County for whatever the event may be.

The SPEAKER. The Chair would like to call to the attention of the gentleman from Delaware that you have a working day if you advance a considerable number of first reading and second reading bills. You have laid the foundation for a full working day later on. If you do not advance your first reading and second reading bills, you will waste the day.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, come to the rostrum?

The Chair requests Mr. Lopresti to preside temporarily.

Mr. LOPRESTI IN THE CHAIR

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 141, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 141.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. FINEMAN, YATRON and Mrs. HENZEL.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 163, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. A. J. MURPHY, IRVIS and R. P. JOHNSON.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 274.

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has non-concurred.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 274.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. TAYLOR, CURWOOD and VARNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto.

Mr. McCANN. Mr. Speaker. I move that the House insist upon its non-currence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. WHEELER, ROVANSEK and BUCHANAN.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 623, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prescribing penalties for using obscene or offensive language over the telephones or repeatedly by telephone annoying molesting or harassing another.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. FINE-MAN, MILLS and DENNISON.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1207

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. J. J. MURRAY, GAILEY and DONALDSON.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 2237

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. McCORMACK, DEVLIN and Mrs. B. Z. MILLER.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 112

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 112, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for traffic courts in cities of the third class.

And has appointed Messrs. Walker, Watkins and Ripp a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 112 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 112

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. SCHAAF, PRENDERGAST and T. H. W. JONES.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 387.

An Act amending the act of May 1, 1939 (P. L. 103) entitled "The Second Class Township Code" providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 387.

The motion was agreed to.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 356

An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended "Incompetents' Estates Act of 1955" providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT FROM COMMITTEE

Mr. CURWOOD from the Committee on Highways, reported as committed, House Bill No. 804, entitled:

An Act repealing Section 5, act of June 13, 1837 (P. L. 551), entitled "An act relating to roads, highways and bridges," abolishing certain requirements concerning breadth of roads.

BILL ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 804, entitled:

An Act repealing Section 5, act of June 13, 1837 (P. L. 551), entitled "An act relating to roads, highways and bridges," abolishing certain requirements concerning breadth of roads.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

Mr. McCANN offered a resolution which was filed with the Clerk under the Rules.

ANNOUNCEMENT

Mr. McCANN. The week of October the 4th we will have a hotel problem in the city of Harrisburg. I believe it is the Pennsylvania Poultrymen's Association statewide convention, and one of the hotels has informed us that they will not have sufficient space to accommodate the House Members and the schedule possibly may be changed for that week. This will be decided this week after the House has adjourned and we have an opportunity to talk to the hotel managers and to the leadership in the Senate regarding our schedule that week. We are positive that one hotel has a very difficult situation in housing us; the other hotel will inform us shortly, the Harrisburger; and then the Governor Hotel will know. The announcements will be made in sufficient time.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker who desires to make a statement.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Ladies and gentleman of the House, in a few days we will be in the closing stages of the Session. The gentlemen of the other chamber will be con-

cerned in Senate bills; they will want to talk to Members of the House.

There should be some orderly way in which we can, with courtesy to the Members of the other body and with convenience to the Members, make it possible when a Senator comes over and wants to see some Member of the House about a bill that without disturbing the routine of the House and without wandering up and down the aisles, he can ask a sergeant-at-arms who should be posted at a particular place to go and see the Member.

We should have a conference room, suitably equipped in which the Members can see their official visitors in dignified fashion. It is not courtesy that we should have a Member of the other chamber traipsing around the Hall of the House because he has a legitimate reason to see some Member. It is not compatible with dignity; it is not compatible with protocol; there should be some way of doing it. When we get around where we should be, we will have a furnished room set aside for that purpose, but the best we can do now perhaps is to make some arrangements where in a conference room or in the corner over there we can with as much dignity as possible, without lack of equipment, make it possible for those con-

ferences which are essential in the orderly conduct of the House.

The Chair takes the liberty of asking the Majority Leader, the Minority Leader and the Chief Clerk to study this matter and see whether we can do something at this session. We really should have sort of a House Committee for this chamber that would attend to these little matters.

The Chair is sure that the Majority Leader, or if he is busy with affairs of state in various parts of the Commonwealth, can appoint a substitute. So I am asking the Majority Leader, the Minority Leader and the Chief Clerk to make some arrangements to make it possible for us to confer in these closing stages with Members of the other chamber and do it in a dignified fashion.

ADJOURNMENT

Mr. BUCHANAN. Mr. Speaker, I move that this House do now adjourn until Monday, September 21, 1959 at 3:30 p.m. E.S.T.

The motion was agreed to, and (at 10:55 a.m. E.S.T.) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

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HARRISBURG, PA., MONDAY, SEPTEMBER 21, 1959.

No. 94.

SENATE

MONDAY, SEPTEMBER 21, 1959.

The Senate met at 2:00 o'clock, p.m. Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. RALPH NEWELL, Pastor of The First Baptist Church, Kittanning, offered the following prayer:

Our Heavenly Father, as we assemble in this Senate Chamber to begin a new week of legislative work, grant us the sense of Thy eternal presence.

Forgive us for an unruly tongue; for a heart hardened with vindictive passions. Forgive us for a fretful disposition; for an unwillingness to bear the burdens of others; for an undue willingness to let others bear our burdens; for high professions joined to low attainments; for many neglected opportunities and our uncultivated talents; for much love and beauty unappreciated and many blessings unacknowledged.

All these we confess to Thee, O God. May we know the cleanness of Thy complete forgiveness. May we know the keenness of mind and the concern of true love that will make us competent for our task this day.

In Christ's Name, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 632

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 632, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116), entitled "An act to regulate deliveries of light fuel oil to domestic consumers; * * *," requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed receipts; and requiring that such receipts be furnished to consumers.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 387

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1938 (P. L. 108), entitled "The Second Class Township Code," providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

The PRESIDENT. This bill will be laid on the table.

AMENDMENT TO HOUSE BILL No. 762, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams, or other structures . . . projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; . . ." authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE SENATE TO SENATE BILL No. 112, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 112, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for traffic courts in cities of the third class.

and has appointed Messrs. SCHAAF, PRENDERGAST and THOMAS H. W. JONES, as a Committee of Conference on confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 141
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 141, entitled:

An Act imposing liability upon parents for the tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery.

and has appointed Messrs. FINEMAN, YATRON and Mrs. HENZEL, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE
BILL No. 141

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 141, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 163
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 163, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract by motor vehicle in certain cases.

and has appointed Messrs. MURPHY, IRVIS and R. P. JOHNSON, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 163

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 163, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 274
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 274, entitled:

An Act providing leaves of Absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

and has appointed Messrs. TAYLOR, CURWOOD and VARNER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 274

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 274, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 621
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 621,

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto, and making an appropriation.

and has appointed Messrs. WHEELER, ROVANSEK and BUCHANAN, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 621

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 621, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 623
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 623, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prescribing penalties for using obscene or offensive language over telephones, or repeatedly by telephone annoying, molesting or harassing another.

and has appointed Messrs. FINEMAN, MILLS and DENNISON, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall

appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 623

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 623, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 1207
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts.

and has appointed Messrs. J. J. MURRAY, GAILEY and DONALDSON as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 1207

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1207, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE
IN AMENDMENTS TO HOUSE BILL No. 2237
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

and has appointed Messrs. McCORMACK, DEVLIN and Mrs. MILLER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE TO
HOUSE BILL No. 2237

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2237,

and that a committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

Approval of Senate Bills Nos. 66, 142, 161, 373, 756, 791 and 792.

September 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 66, Printer's No. 1339, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' changing the provisions relating to bond required in awarding contracts and further regulating checks accompanying bids."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 142 Printer's No. 904, entitled "An Act amending the act of June 24, 1937 (P. L. 2051) entitled 'Public Assistance Law' further defining persons eligible for public assistance."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 161, Printer's No. 233, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' providing an additional procedure for creating cities authorizing elections and permitting selection of a form of city government in such cases from among several optional plans and conferring powers and imposing duties on courts of quarter sessions county boards of elections and corporate authorities of towns townships and boroughs."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 373, Printer's No. 956, entitled "An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 756, Printer's No. 862, entitled "An Act amending the act of April 25, 1929 (P. L. 723), entitled 'An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government' increasing the investment powers."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 791, Printer's No. 900, entitled "An Act amending the act of July 3, 1947 (P. L. 1242), entitled 'An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys there-to and requiring reports and audits' authorizing additional appropriations by cities to police and firemen's pension funds."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 792, Printer's No. 901, entitled "An Act reenacting and amending the act of August 17, 1951 (P. L. 1254), entitled 'An act fixing the minimum pensions of policemen and firemen in certain cities' taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount."

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jerome F. Hipps, P. O. Box 428, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, to serve until the first Monday of January 1960, vice Vincent B. Lehmier, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John E. Baily, Esq. (Republican), 453 North West Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance until December 31, 1959, and until his successor is duly appointed and qualified, vice Rev. Gerald Hollingsworth, Waynesburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate O. Albert Johnson, President, Hamlin Bank and Trust Company, Smethport, McKean County, for appointment as a member of the Banking Board, until September 1, 1965, and until his successor is duly appointed and qualified, vice William B. McFall, Pittsburgh, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney D. Kline, President, Berks County Trust Company, Reading, Berks County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Daniel H. Erdman, Quakertown, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Swoboda, Frackville, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clyde R. Flory, Sellersville, Bucks County, for appointment as a member of the Board of Trustees of Norristown State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN FOR THE COMMON- WEALTH OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold B. Rudisill, 418 Baltimore Street, Hanover, York County, for appointment as a member of Interstate Commission on The Potomac River Basin for the Commonwealth of Pennsylvania, for the term of two years or until his successor is appointed.

DAVID L. LAWRENCE.

CORONER IN AND FOR THE COUNTY OF CRAWFORD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas H. Vetter, M. D., 1015 Limber Road, Meadville, Crawford County, for appointment as Coroner in and for the County of Crawford, until the first Monday of January 1960, vice Sherman L. Watson, M. D., resigned.

DAVID L. LAWRENCE.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF BESSIE KANN
SACK AS A MEMBER OF THE ADVISORY BOARD
ON PROBLEMS OF OLDER WORKERS

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 21, 1959, for the appointment of Bessie Kann Sack, Pittsburgh, Allegheny County, as a member of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until her successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

REPORT FROM COMMITTEE ON EXECUTIVE
NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE STATE BOARD FOR THE
EXAMINATION OF PUBLIC ACCOUNTANTS

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Irwin Dubin, 121 South Broad Street, Philadelphia, Philadelphia County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BANKING BOARD

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Banking Board until September 1, 1967, and until their successors are duly appointed and qualified:

John F. Murphy, Vice President, Northeastern Pennsylvania National Bank and Trust Company, Scranton, Lackawanna County, vice John H. Dillen, Altoona, whose term expired.

Donald Z. Wade, President, Bank of Matamoras, Matamoras, Pike County, vice E. T. Gramley, Milton, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sue B. Anderson, R. D. 2, Bedford, Bedford County, for appointment as Justice of the Peace in and for the Township of Bedford, Bedford County, to serve until the first Monday of January 1960, vice John C. Anderson, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE INDIANA COUNTY BOARD OF
ASSISTANCE

September 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Oakes (Republican), 70 Morris Street, Clymer, Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Merle L. Dickson, Black Lick, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elsie H. Kettering, R. D. 2, Sarver Butler County, for appointment as Justice of the Peace in and for the Township of Buffalo, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE MONTGOMERY COUNTY BOARD
OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lawrence F. Tornetta (Democrat), 30 Terrace Road, Norristown, Montgomery County, for appointment as a member of the Montgomery County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas P. McArthur, Jr., Norristown, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard J. Durschinger, R. D. 1, Prospect, Butler County, for appointment as Justice of the Peace in and for the

Township of Connoquenessing, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederick B. McGuire, R. D. 1, Valencia, Butler County, for appointment as Justice of the Peace in and for the Township of Middlesex, Butler County, to serve until the first Monday of January 1960, vice Thomas Simpson, resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1188, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

Which was committed to the Committee on Appropriations.

Messrs. KESSLER, STEVENSON and MADIGAN read in place and presented to the Chair Senate Bill No. 1189, entitled:

An Act directing the Secretary of Public Welfare to enter into a contract of lease providing for the operation and maintenance of the Scranton State Hospital by a nonprofit corporation organized for that purpose; providing for the terms of the lease including an option to purchase; providing for the operation and maintenance of the hospital under the lease; and making appropriations.

Which was committed to the Committee on Rules.

Mr. ROONEY read in his place and presented to the Chair Senate Bill No. 1190, entitled:

An Act amending the act of June 23, 1931 (P. L. 899), entitled "Public Bathing Law," setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

Which was committed to the Committee on Rules.

Mr. EHRGOOD read in his place and presented to the Chair Senate Bill No. 1191, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," permitting pets in State parks.

Which was committed to the Committee on Rules.

SENATE RESOLUTION

GENERAL CASIMIR PULASKI MEMORIAL DAY

Messrs. WATKINS and BARR offered the following resolution (Serial No. 69), which was read as follows:

In the Senate, September 21, 1959.

Whereas, General Casimir Pulaski came to this land of freedom from his native Poland, joined the Continental Army to fight for the independence of America and for it laid down his life; and

Whereas, October 11, 1959, marks the One Hundred and Eightieth Anniversary of his death caused from wounds received October 9, 1779, in leading The Pulaski Legion at the siege of Savannah, Georgia; and

Whereas, General Casimir Pulaski's contribution on the altar of American independence, which should be the inspiration to all who love liberty and have the will to preserve it;

Now, Therefore be it Resolved, That this Senate enter of record to dedicate and to observe Sunday, October 11, 1959, as General Casimir Pulaski Memorial Day for his priceless contribution to the cause of freedom and do hereby invite all the citizens of the State of Pennsylvania to observe that day in honor of the memory of General Casimir Pulaski.

On the question,

Will the Senate agree to the resolution?

Mr. STIEFEL. Mr. President, this is a very fine resolution, but the erudite gentleman from Delaware County should have inserted a paragraph calling the attention of all Pennsylvanians to a famous painting which depicts General Pulaski and which can be found in the city of Bethlehem, in a hotel. It would be to the advantage of everybody to see that painting.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

SENATE CONCURRENT RESOLUTION

RECALLING FROM THE GOVERNOR SENATE
BILL No. 824

Mr. SILVERT offered the following resolution, which was read, considered and agreed to:

In the Senate, September 21, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 824, Printer's No. 950, entitled "An act amending the act of May 11, 1911 (P. L. 279) entitled 'An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case' further providing for the taking of exceptions to ruling of the trial judge," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported as today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WADE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

September 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Irwin

Dubin, 121 South Broad Street, Philadelphia, Philadelphia County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BANKING BOARD

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Banking Board until September 1, 1967, and until their successors are duly appointed and qualified:

John F. Murphy, Vice President, Northeastern Pennsylvania National Bank and Trust Company, Scranton, Lackawanna County, vice John H. Dillen, Altoona, whose term expired.

Donald Z. Wade, President, Bank of Matamoras, Matamoras, Pike County, vice E. T. Gramley, Milton, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sue B. Anderson, R. D. 2, Bedford, Bedford County, for appointment as Justice of the Peace in and for the Township of Bedford, Bedford County, to serve until the first Monday of January 1960, vice John C. Anderson, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

September 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Oakes (Republican), 70 Morris Street, Clymer, Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Merle L. Dickson, Black Lick resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elsie H. Kettering, R. D. 2, Sarver, Butler County, for appointment as Justice of the Peace in and for the Township of Buffalo, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lawrence F. Tornetta (Democrat), 30 Terrace Road,

Norristown, Montgomery County, for appointment as a member of the Montgomery County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas P. McArthur, Jr., Norristown, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard J. Durschinger, R. D. 1, Prospect, Butler County, for appointment as Justice of the Peace in and for the Township of Connoquenessing, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederick B. McGuire, R. D. 1, Valencia, Butler County, for appointment as Justice of the Peace in and for the Township of Middlesex, Butler County, to serve until the first Monday of January 1960, vice Thomas Simpson, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WADE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 436

Mr. PECHAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 436.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases, which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 864

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 864.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;
House Bill No. 661, Printer's No. 1570;
House Bill No. 662, Printer's No. 1571;
Senate Bill No. 1105, Printer's No. 1426;

Senate Bill No. 1112, Printer's No. 1427; and
House Bill No. 2100, Printer's No. 1639.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 10, Printer's No. 10, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on third reading, go over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 398, on third reading, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

be recommitted to the Committee on Highways.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1655, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1015, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. PRESIDENT, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1423, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1054, on third reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," increasing the compensation of the State Board of Barber Examiners, be recommitted to the Committee on Rules.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1071, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" regulating the advertising of merchandise offered for sale by certain businesses.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 4 by inserting after "importer": "or." Amend Section 1, page 4 and 5 by striking out "or words of similar" where it appears on line 4, and by striking out "import" on line 5. Amend Section 1, page 4, line 13 by inserting after "import": "containing the word 'wholesale'." Amend Section 1, page 4, lines 16, 17, 18 and 19 by striking out all of said lines. Amend Section 1, page 5, lines 1, 2 and 3, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. RIPP. Mr. President, I ask unanimous consent that House Bill No. 1071, Printer's No. 1110, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1079, Printer's No. 1382, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Kalman,	Miller,	Silvert,
Berger,	Keller,	Mullin,	Stevenson,
Blass,	Kessler,	Murray,	Stiefel,
Camiel,	Koprivier, Jr.,	Pechan,	Taylor,
Chapman,	Kromer,	Propert,	Van Sant,
Confair,	Lane,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraf,	Watkins,
Elliot,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

NAYS—1

Hays,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof . . ." granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, not hearing my name called, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

Mr. CONFAIR. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. FLACK. Mr. President, having been in the hall of the Senate and not hearing my name called, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Luzerne will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barr,	Hays,	Miller,	Sarraf,
Camiel,	Kalman,	Mullin,	Scott,
Chapman,	Lane,	Murray,	Seyler,
DiSilvestro,	Mahady,	Propert,	Silvert,
Donolow,	McCreesh,	Ripp,	Stiefel,
Ehrgood,	McGinnis,	Rooney,	Taylor,
Fleming,	McMenamin,	Ruth,	Watkins,
			Weiner,

NAYS—21

Berger,	Harney,	Madigan,	Van Sant,
Blass,	Keller,	Mallery,	Wade,
Confair,	Kessler,	Pechan,	Wagner,
Elliott,	Koprivier, Jr.	Shafer,	Walker,
Flack,	Kromer,	Stevenson,	Whalley,
			Wolfe,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1572, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" further regulating reinstatement and requirements for credit for previous service and the retirement allowances of certain reemployed persons.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1701, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" extending the period for shooting on regulated shooting grounds.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1797, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second third and fourth class and validating certain taxes.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1861, Printer's No. 1054, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 2049, on third reading, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

be recommitted to the Committee on Local Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer, the State Council of Education and the State Board for Vocational Education.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DISilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2172, Printer's No. 1330;
House Bill No. 2265, Printer's No. 1577;
House Bill No. 2267, Printer's No. 1340;
House Bill No. 2268, Printer's No. 1341;
House Bill No. 2270, Printer's No. 1343; and
House Bill No. 2271, Printer's No. 1576.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 301, Printer's No. 1399, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act declaring and adopting the poem "Pennsylvania" by Gerall G. Dovenspike, a Pennsylvanian, as the official poem of the Commonwealth.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL. Mr. President, over the week end, I gave some thought to this poem which is supposed to reflect the glory and greatness of Pennsylvania. I feel that we should give more thought to this matter and, maybe, have a contest which would invite poems from the trenchant pens of the outstanding poets in Pennsylvania.

I feel that this bill should be placed on the Postponed Second Reading Calendar, and a plan devised whereby we can invite more talent to participate in writing a poem dedicated to Pennnsylvania.

MOTION TO POSTPONE BILL

Mr. STIEFEL. Accordingly, Mr. President, I move that this bill be placed on the Postponed Second Reading Calendar. Due to the fact that I see my learned friend from Armstrong ready to oppose my motion, may I say that if opposition is offered, I am going to introduce a bill,—not that I am threatening—proposing that a famous poem, which I believe is a masterpiece of all ages, written by Kipling and dealing with Pennsylvania, should be the one to be adopted. As a matter of fact, I will introduce several bills, offering various poems.

Would it not be better to wait awhile and see what will happen?

Mr. HAYS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I wish merely to say that while undoubtedly the poem, written by Rudyard Kipling,

is an excellent poem, nevertheless, this poem was written by a native Pennsylvanian for Pennsylvania.

Therefore, Mr. President, I am going to ask my colleagues to vote "no" on this motion to postpone.

And the question recurring,

Will the Senate agree to the motion?

The roll was called and was as follows:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;

Senate Bill No. 447, Printer's No. 481;

Senate Bill No. 448, Printer's No. 1324; and

Senate Bill No. 449, Printer's No. 1325.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority defining its powers and duties conferring powers and imposing duties on the Governor, president pro tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking and making appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 789, the bill just read, be re-referred to the Committee on Appropriations.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 899, Printer's No. 1055; and

House Bill No. 998, Printer's No. 1673.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1001, Printer's No. 1190, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I would like to have this bill moved up. I believe there is no obscurity in it. If the gentleman has good reason, I would not object. Otherwise, I will object to the bill going over in its order.

Mr. WEINER. Mr. President, the Department of Public Instruction has some reservations about this measure. I have asked to have some amendments drawn to the bill. They have had difficulty in drawing the proper amendments because there are some phases in this which they would like to make sure they cover correctly as it has to do with audits and auditing of school funds, and we want to do nothing that will delay or cause any difficulty or ambiguity in that area.

I, therefore, asked for the bill to go over so that we can have the proper amendments to this measure drawn.

Mr. BERGER. Mr. President, will the gentleman permit himself to be interrogated?

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I inquire of the gentleman whether he may have his amendments ready for tomorrow, or Wednesday at the latest?

Mr. WEINER. Mr. President, I will have my amendments ready no later than Wednesday.

The PRESIDENT. Senator Berger, do you withdraw your objection to the bill going over in order?

Mr. BERGER. Yes, Mr. President.

The PRESIDENT. There being no objection, the bill will go over in its order.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1031, Printer's No. 1215, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1036, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania providing that each county city borough incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1046, entitled:

An Act prescribing penalties for failing to appear as required after being admitted to bail.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1115, Printer's No. 1333;

Senate Bill No. 1133, Printer's No. 1370;

Senate Bill No. 1136, Printer's No. 1373; and

House Bill No. 1472, Printer's No. 640.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1897, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Broker License Act of 1929" further regulating deposits and disbursements of funds by brokers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2033, Printer's No. 1675, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2216, entitled:

An Act amending the act of July 5, 1947 (P. L. 1217) entitled "State Public School Building Authority Act" authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1, page 2, lines 1 and 2, by striking out "and executive authorization made according to law".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 2218, Printer's No. 1548, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REPORTS FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE RESOLUTION, SERIAL No. 60, REPORTED FROM COMMITTEE

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Mr. KOPRIVER, JR. on September 2, 1959, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY AND DEFINE THE TERM "MACHINERY" WITH RELATION TO ASSESSMENT OF REAL ESTATE TAXES IN SECOND CLASS COUNTIES

In the Senate, September 2, 1959.

In many instances the assessment of real estate for taxation in counties of the second class is unjust and inequitable.

Many of these injustices are the result of the inconsistency of the local government in interpreting and applying the numerous and broad terms contained in the tax laws.

Among the terms which have been applied to a variety of factual situations and which have not been clearly and definitely defined is the term "machinery" when assessed as real estate.

As a result of this inconsistency in interpreting and applying the term "machinery," it has become increasingly difficult to determine when the machinery used in a particular factory or industry is assessable as real estate, and when it is not; therefore be it

Resolved, That the Joint State Government Commission be directed to study and define the term "machinery" with relation to assessment of real estate in counties of the second class, and report to the next regular session of the General Assembly as to its findings and recommendations.

The PRESIDENT. The resolution will appear on tomorrow's Calendar.

SENATE CONCURRENT RESOLUTION, SERIAL No. 116, REPORTED FROM COMMITTEE

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Messrs. BERGER,

HAYS, SEYLER, SILVERT, WEINER, SHAFER and ELLIOTT, on August 10, 1959, reported the same without amendments as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE HIGHER EDUCATION SYSTEM IN PENNSYLVANIA

In the Senate, August 10, 1959.

Whereas, it has been predicted that college enrollments in the Commonwealth will greatly increase during the decade ahead; and

Whereas, The predictions of increases in college enrollment range from 57 percent to 127 percent; and

Whereas, It has been alternatively proposed that State-owned institutions be expanded, that State-aided institutions be expanded and that junior colleges be established, either independently or as an adjunct to the public school system; and therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed:

(1) To evaluate the predictions of increased college enrollments for the next decade, and to develop data relating the demand for higher education in Pennsylvania to the types of instruction required, geographic location of students and institutions, and financial ability of families to underwrite the costs of higher education;

(2) To determine the extent to which various quality standards would modify the predicted enrollment increases;

(3) To determine the preferences, abilities, and performance characteristics of the college-age population and the types of institutions which will best meet the demands for post-high school training of students of varying characteristics;

(4) To ascertain the advantages and disadvantages associated with different methods of providing post-high school opportunities including, but not limited to, expansion of State-owned institutions, expansion of State-aided institutions, and full cost scholarships applicable at all accredited institutions;

(5) To evaluate present levels of efficiency, including both staff and plant utilizations and to develop organizational and operational patterns that will provide incentives to insure optional personnel and plant performance;

(6) To investigate the fiscal potential of State and Local governments and private individuals and organizations to provide additional support for higher education; and

(7) To investigate alternative sources of revenue available to the State Government to provide additional support for higher education; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations together with drafts of any legislation deemed necessary to carry its recommendations into effect.

The PRESIDENT. The resolution will appear on tomorrow's Calendar.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PROPERT and WATKINS read in place and presented to the Chair Senate Bill No. 1192, entitled:

An Act amending the act of June 5, 1935 (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," extending the provisions thereof to the premises of the

buyer or vendor; authorizing the making of fair trade agreements; further defining the right to equitable relief; and further distinguishing between sales at wholesale and sales at retail.

Which was committed to the Committee on Rules.

Mr. MAHADY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MAHADY, BARR and SARRAF read in place and presented to the Chair Senate Bill No. 1193, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Westmoreland County.

Which was committed to the Committee on Rules.

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER and HARNEY read in place and presented to the Chair Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester County, for use of the West Chester State Teachers' College.

Which was committed to the Committee on Appropriations.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

**MAGISTRATE OF COURT No. 19,
CITY OF PHILADELPHIA**

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Eugene J. Hagerty, 2308 North Broad Street, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 19, in and for the City of Philadelphia, until the first Monday of January 1960, vice Charles A. Papa, deceased.

DAVID L. LAWRENCE.

**MAGISTRATE OF COURT No. 21,
CITY OF PHILADELPHIA**

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Matthew Zagorski, 4653 Torresdale Avenue, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 21, in and for the City of Philadelphia, until the first Monday of January 1960, vice John C. Morlock, deceased.

DAVID L. LAWRENCE.

MAGISTRATE OF COURT No. 14,
CITY OF PHILADELPHIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph M. Dennis, 4800 Walnut Street, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 14, in and for the City of Philadelphia, until the first Monday of January 1960, vice Michael Davis, deceased.

DAVID L. LAWRENCE.

JUDGE OF THE MUNICIPAL COURT OF THE FIRST
JUDICIAL DISTRICT OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Juanita Kidd Stout, 1735 West Erie Avenue, Philadelphia 40, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia, until the first Monday of January 1960, vice Hon. Herbert E. Milen, deceased.

DAVID L. LAWRENCE.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 141

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. PECHAN, MALLERY and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 141.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 163

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WAGNER, EHRCOOD and KALMAN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 163.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 274

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WATKINS, WADE and MULLIN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 274.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 261

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KOPRIVER, JR., FLACK and MURRAY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 621.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 623

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. VAN SANT, SCOTT and SILVERT, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 623.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 1207

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. EHRCOOD, WAGNER and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1207.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON
HOUSE BILL No. 2237

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ELLIOTT, SHAFER and MAHADY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 2237.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate now adjourn until Tuesday, September 22, 1959, at 1:00 o'clock, p. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:26 o'clock, p. m., Eastern Standard Time, until Tuesday, September 22, 1959, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, September 21, 1959

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Father Woodrow W. Jones, Assistant Pastor of St. Mary's Roman Catholic Church, Middletown, a very dear personal friend of mine, guest Chaplain and guest of the House Chaplain, offered the following prayer:

In the Name of the Father and of the Son and of the Holy Ghost. Amen.

Almighty and eternal God in Whom we live and move and have our being, we wish to acknowledge Thy supreme dominion over us and our total dependence upon Thee in all things. For Thou art the Author of human society, Author of the State, and all legitimate authority is from Thee.

With all our hearts we thank Thee for our beloved America and for our mighty Commonwealth whose sons and daughters, in peace and war, have given so lavishly to our nation. We thank Thy Divine Providence for the abundance of natural wealth within our borders to sustain life and to develop the faculties of man. We thank Thee for keeping war's devastation far from our shores and for the blessings of liberty while a third of Thy children groan under the tyrant's heel. We thank Thee for the vision of our fathers who fashioned our democracy. Make us ever aware that democracy itself is not our goal, but the means to it, to a nobler kind of men and women, free to work out their eternal destiny in dignity, security and peace.

Help us to meet the challenges before us: the wants of the needy and unemployed, the preservation of the delicate balance of justice between employer and employee, the development of our God-given resources, the education of a God-fearing generation, the fostering of virtue and mortality.

Finally, we implore Thee, Who alone can illuminate men's minds and move men's wills, to grant to all who make and interpret and enforce our laws, the light to know Thy Will and the courage to do Thy Will. And inspire our fellow Pennsylvanians and all Americans to give to the whole world an example of unity in essential things, of freedom in unessential things, and of charity in all things.

Through Jesus Christ our Lord. Amen.

In the Name of the Father and of the Son and of the Holy Ghost. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 15, 1959, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. SCARCELLI and WESCOTT.

HOUSE BILL No. 2382.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the provisions which make certain wordly employment unlawful on Sunday.

Referred to the Committee on Rules.

By Messrs. DEVLIN, KOVOLENKO, A. J. MURPHY
and DENNISON. HOUSE BILL No. 2383.

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and for the collection of such assessments, claims, and liens.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DOUGHERTY, McCANN, MUSTO,
Mrs. VARALLO, Messrs. DEVLIN, LOPRESTI,
and KAMYK. RESOLUTION No. 114.

In the House of Representatives, September 16, 1959.

In 1800, the infant Federal Government moved to its permanent capital in Washington, D. C., but Maryland and Virginia in completing the cession of the District of Columbia failed to make any provision to protect the voting rights of residents occupying the ceded area. A reasonable assumption is that the state thought Congress would provide some method of voting.

Our Nation's capital, Washington, D. C., is unquestionably the home and symbol of the ideal of American Representative Democracy yet 831,000 citizens in the Nation's capital are denied the right to vote for the people they want to represent them—a population greater than that of any one of twelve states.

There is no "local" government in the District of Columbia. Local laws are passed by Congress and signed by the President. Congress must approve every cent of local expenditure. The municipal government is an agency of Congress. A number of other Federal bureaus, departments, and agencies have certain functions in the government of the area.

Since the people of the District of Columbia have no vote, and if taxation without representation is tyranny, then it exists in the capital of this great land. In addition, it is questionable whether the Congressmen are very conscious of the needs of the people of the District of Columbia since they must first represent their own districts and second, they have thousands of problems relating to the nation as a whole and the world.

Originally, this system might have worked if the District of Columbia contained nothing but government buildings and institutions. However, as a result of the great influx of population, Congress must legislate in such matters as zoning, streets, parking, and other services. Again the need for a local government in the District is very evident.

While thousands of words are heard relating to the sanctity of the right to vote in America in connection with the civil rights debates, the most wholesale voting discrimination in this country is ignored.

We, the people of the Commonwealth of Pennsylvania, are strongly in favor of home rule. We believe that Congress should give this right to the people of the Districts of Columbia; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact legislation to give the people of the District of Columbia the right to elect the officials to administer their local affairs, to vote in Presidential elections, and to have voting representation in the Congress of the United States, and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 141.

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

SENATE BILL No. 143.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.

SENATE BILL No. 639.

An Act amending the act of June 25, 1937 (P. L. 2086) entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

SENATE BILL No. 664.

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 680.

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) changing provisions relating to weighing and measuring permits.

HOUSE BILL No. 958.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) including costs of grading sewage treatment plants and interest thereon in computing reimbursable rentals.

HOUSE BILL No. 997.

An Act designating the whitetail deer as the official State animal.

HOUSE BILL No. 1463.

An Act repealing sections 1261, 1262 and 1263 of "The County Code" approved August 9, 1955 (P. L. 323) relating to recognizance of sheriffs and coroners.

HOUSE BILL No. 1907.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) clarifying the provisions relating to shooting across or at wild birds or animals on highways.

HOUSE BILL No. 2014.

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

HOUSE BILL No. 2203.

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) permitting reciprocal licensure of foreign applicants.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 13, 298, 1081 and 1160.

Amended House Bill returned for concurrence No. 1566.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 888, 889, 2162
and 2315

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 888, Printer's No. 677, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' authorizing expenditures for aviation training."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 889, Printer's No. 671, entitled "An Act amending the act of May 25, 1933 (P. L. 1001) entitled as amended 'The Aeronautical Code' amending and adding definitions revising text to conform and authorizing expenditures for aviation training."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2162, Printer's No. 1067, entitled "An Act amending the act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' regulating credit for pension for previous employment by the city other than

in the Bureau of Police and pensions of employees employed within the Bureau of Police and less than five years and further regulating pensions of reinstated members."

DAVID L. LAWRENCE.

September 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2315, Printer's No. 1348, entitled "An Act amendng the act of March 6, 1956 (P. L. 1256) entitled 'The Hotel Occupancy Tax Act' increasing the rate of tax."

DAVID L. LAWRENCE.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 141.

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

SENATE BILL No. 143.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.

SENATE BILL No. 639.

An Act amending the act of June 25, 1937 (P. L. 2086) entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

SENATE BILL No. 664.

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

SENATE BILL No. 1035.

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. RUDISILL for the week because of illness.

Mrs. Varallo for Mr. LAMB for the week because of the death of his father.

Mrs. Varallo for Mr. MIHM for the week.

Mrs. Varallo for Mr. WELSH for the week because of illness.

Mr. Tompkins for Mr. T. H. W. JONES for today.

Mr. Tompkins for Mr. KUBITSKY for today.

Mr. Tompkins for Mr. LIGHT for the week.

Mr. Tompkins for Mr. STONER for the week.

Mr. Tompkins for Mr. STROUP for the week.

Mr. Tompkins for Mr. BUCHANAN for the week.

RESOLUTION

RECALLING HOUSE BILL No. 578 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 21, 1959.

Resolved (the Senate concurring), That House Bill No. 578, Printer's No. 1573, entitled "An act amending the act of May 3, 1933 (P. L. 242), entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees, and providing penalties,' changing eligibility requirements for examination," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, in the Session of 1955 I had a resolution, which I introduced in this House, which provided for total disarmament of all nations down to the police level with free and unrestricted inspection by the United Nations. With the excellent help of State Representative John J. Vaughan, of Allegheny County, I was able to get 19 others to join with me in sponsoring the resolution at that time, and I am still grateful to those other 19 Members of the 1955 Session of the General Assembly.

This resolution was ignored by the 1955 House of Representatives, but the words of that resolution are today about to become in whole, or at least in part, a reality throughout the world. I frequently think of the words of my father, who by the way never reads a newspaper or never bothers to inform himself on state, national, or international news whatsoever, but who once made one of the most potent statements I have ever heard on international affairs. Here is what he said, "Nations so often sit around the table after the war is over and after people have lost their lives; they could just as well have sat around the table and worked out their differences before anyone was killed and before we had any war." So right and so true are these words that this very statement is becoming reality.

The atom and hydrogen bombs have made the world stop war and made all nations use propaganda warfare or salesmanship, which is the only way they can promote any political philosophy on this earth, and this will not hurt anyone because no one will be killed by salesmanship, for the reason that he does not need to listen to it any longer than he wants to listen.

It will take three steps to put the world in shape for the unrestricted freedom of all people to live out their

full days on this earth, and I would just like to state these three steps while I am on this floor.

Here they are:

1. Total disarmament down to police level with free and unhampered inspection by the United Nations and any nation.

2. World government under law with a world parliament of limited and delegated powers and a judiciary system to adjudicate cases involving international out-laws.

3. What we now call propaganda warfare should be merged or transformed into election campaigns for the elections of members to the parliament of the World.

Mr. Speaker, I would also like to remind this House that in the Session of 1947 I introduced a world government measure in January of that year, and I spoke in support thereof on the floor of this House. I shall predict here today, to you my colleagues, that within ten years from today we will have world government under law, and the confederation form of the United Nations will be merged into a world government of limited and delegated powers over international affairs. It shall come and it must come, and it will be good for all people when it does come.

Thank you, Mr. Speaker, for recognizing me at this time.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DEVLIN asked and obtained permission for the Committee on Cities—Counties, Second Class and Second Class A to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 804, entitled:

An Act repealing Section 5 act of June 13, 1837 (P. L. 551) entitled "An act relating to roads highways and bridges" abolishing certain requirements concerning breadth of roads.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COMER offered the following amendment

Amend Sec. 1, page 1, line 3, by striking out "repealed" and inserting: "amended to read. Section 5. The breadth of a private road shall not in any case exceed twenty-five feet, and the width of a public road shall not be less than thirty-three feet [nor more than one hundred and twenty feet, except that whenever the right of way for a public highway has been acquired solely by the Federal government the maximum width thereof may be two hundred feet, and except in the instance of multiple lane highways, the maximum width shall be one hundred and twenty feet plus any additional footage that shall be necessary, in the judgment of the Secretary of Highways, for center or dividing strips between the multiple roadways: Provided, That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified; but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway; all viewers shall hereafter be required to take into consideration the

qualified nature of the easement in proceedings to assess damages for the taking of land for highway purposes: And provided further] and shall have such maximum width as shall be determined necessary in the judgment of the Secretary of Highways: Provided, That when the public road, desired to be opened, is in a built up section of any township of the second class, of the type commonly known as an alley, and is not an integral part of a through route, the minimum width shall be fifteen feet: And provided further, That where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way for such public highway has been acquired solely by the Federal government and it shall become necessary to move or relocate any public service facilities, the cost and expenses incident to such removal or relocation shall be paid by the Federal government."

It was agreed to.

The section as amended was agreed to.

Mr. COMER offered the following amendment:

Amend the bill by inserting after Section 1 the following: "Section 2. This act shall take effect immediately."

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. COMER offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "Repealing section 5" and inserting: "Amending the"

Amend Title, page 1, last two lines of Title, by striking out "abolishing certain requirements concerning breadth of roads" and inserting: "authorizing the Secretary of Highways to determine the maximum width of public highways."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1993, entitled

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the Supreme Court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925" approved

May 2, 1925 (P. L. 448) further regulating the licensing and operation of man-made lakes and ponds where fishing is permitted upon payment of fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law," changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by its requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law * * *" extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 689, entitled:

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949," increasing the investment powers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1305, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145) empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1305 is a bill in which the second class townships were given permission to be placed under Act 481 or the Local Tax Enabling Act.

With the amendments which have been placed into this bill a compromise has been found so the school districts in the Commonwealth would not lose the taxing money which they now have under the Local Tax Enabling law, and the amendments placed in the bill provide that a second class township school district, which now imposes the maximum ceiling of one percent on wage taxes, could not impose a similar tax for a period of five years without the consent of the school district.

This bill now carries the approval of the School Directors' Association, the Commonwealth, the various school officials who have met in regard to House Bill 1305 and the Association of Second Class Townships.

Mr. Speaker, I believe this compromise is satisfactory to all the parties involved, and each of those districts which do not at the present time impose the one percent wage tax would be permitted to do this immediately if the school district does not now place this tax in effect.

Mr. Speaker, I ask that all the Members of the House vote favorably on House Bill 1305, Printer's No. 1648.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Agnew,	Frascella,	Lutty,	Rovansek,
Anderson,	Fulmer,	McCandless,	Royer,
Arlene,	Galley,	McCann,	Sakulsky,
Ashton,	Gallagher,	McCormack,	Scarcelli,
Auker,	Garlock,	McDonald,	Schaaf,
Balthaser,	Gelfand,	McInroy,	Schuster,
Barton,	George,	McKeever,	Schwartz,
Bell,	Goldstein,	McLaughlin,	Seltzer,
Blair,	Goodrich,	Machmer,	Sherman,
Boies,	Gramlich,	Mahan,	Silverman,
Bonner,	Guthrie,	Markley,	Snare,
Boris,	Hamilton,	Maxwell,	Snider,
Bower,	Heavy,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Brenninger,	Helm,	Mills,	Stewart,
Burns,	Henzel,	Monroe,	Stimmel,
Capano,	Hocker,	Muldowney,	Stone,
Capitolo,	Holliday,	Mullen,	Strausser,
Cianfrani,	Holt,	Munley,	Sullivan,
Cioffi,	Horst,	Murphy, A. J., Jr.	Taylor,
Clarke,	Irvia,	Murphy, P. J.,	Tompkins,
Comer,	Isaacs,	Murray, H. P.,	Trusio,
Davis,	Jim,	Murray, P. G.,	Ujobal,
Dengler,	Johnson, A. W.,	Naugle,	Varallo,
Dennis,	Johnson, R.,	Needham,	Varnier,
Dennison,	Jones, F. R.,	Nelson,	Verona,
Devlin,	Jump,	O'Dell,	Wargo,
Donahue,	Kamyk,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kee,	O'Donnell, J. P.	Wescott,
Dougherty,	Kelser,	Ogilvie,	Wheeler,
Down,	Kernaghan,	O'Neill,	Whittaker,
Edwards,	Kessler,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Knecht,	Pashley,	Williams, E. S.,
Eshback,	Kooker,	Perry, H. H.,	Willard,
Ewing,	Kornick,	Perry, P. E.,	Willardt,
Eshleman,	Korns,	Petrosky,	Wood,
Farabaugh,	Kovolenko,	Polaski,	Wynd,
Fetterolf,	Lee, A. M.,	Polen,	Yatron,
Filo,	Lee, K. B.,	Prendergast,	Yetter,
Floyd,	Leonard,	Pursley,	Zimmerman,
Flynn,	Limper,	Reldenbach,	
Foerster,	Lippincott,	Renwick,	
Fox,	Lopresti,	Rigby,	
Frank,	Luigard,	Riley,	

NAYS—13

Crossin,	Merry,	Price,	Stevens,
Curwood,	Murray, J. J.,	Pursley,	Wall,
Jenkins,	Musto,	Shupnik,	Worley,
Meholchick,			

NOT VOTING—21

Bowman,	Gibb,	Magee,	Stoner,
Breth,	Jones, T. H. W.,	Mihm,	Stroup,
Brown,	Kubitsky,	Moran,	Thompson,
Buchanan,	Lamb,	Odorisio,	Walsh,
Cooper,	Light,	Rudistill,	Welsh,
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1528, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 32), providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Agnew,	Galley,	McKeever,	Royer,
Anderson,	Gallagher,	McLaughlin,	Sakulsky,
Arlene,	Garlock,	Machmer,	Scarcelli,
Auker,	Gelfand,	Markley,	Schaaf,
Balthaser,	George,	Maxwell,	Schuster,
Blair,	Goldstein,	Meholchick,	Schwartz,
Botes,	Goodrich,	Merry,	Seltzer,
Bonner,	Gramlich,	Mills,	Sherman,
Boris,	Guthrie,	Monroe,	Shupnik,
Bower,	Hamilton,	Muldowney,	Silverman,
Branca,	Heavy,	Mullen,	Snare,
Brenninger,	Heffner,	Munley,	Snider,
Burns,	Helm,	Murphy, A. J., Jr.,	Stank,
Capano,	Henzel,	Murray, H. P.	Steckel,
Capitolo,	Hocker,	Murray, J. J.,	Stimmel,
Cianfrani,	Holt,	Murray, P. G.,	Stone,
Cioffi,	Horst,	Musto,	Strausser,
Clarke,	Irvia,	Naugle,	Sullivan,
Comer,	Jenkins,	Needham,	Taylor,
Crossin,	Jim,	Nelson,	Trusio,
Curwood,	Johnson, A. W.,	O'Dell,	Ujobal,
Davis,	Jones, F. R.,	O'Donnell, J. A.,	Varallo,
Dennis,	Jump,	O'Donnell, J. P.,	Varnier,
Dennison,	Kamyk,	Ogilvie,	Verona,
Devlin,	Kee,	O'Neil,	Wall,
Dougherty,	Kelser,	Parlante,	Wargo,
Down,	Knecht,	Pashley,	Weidner,
Edwards,	Kooker,	Perry, H. H.,	Wescott,
Ellberg,	Kornick,	Perry, P. E.,	Wheeler,
Eshback,	Korns,	Petrosky,	Whittaker,
Eshleman,	Kovolenko,	Polaski,	Williams, E. S.,
Ewing,	Lee, K. B.,	Polen,	Willard,
Farabaugh,	Leonard,	Prendergast,	Willardt,
Filo,	Limper,	Price,	Wood,
Floyd,	Lopresti,	Pursley,	Worley,
Flynn,	Luigard,	Reidman,	Wynd,
Foerster,	Lutty,	Reidenbach,	Yatron,
Fox,	McCandless,	Renwick,	Yetter,
Frank,	McCann,	Rigby,	Zimmerman,
Frascella,	McCormack,	Riley,	Andrews,
Fulmer,	McDonald,	Rovansek,	Speaker

NAYS—24

Ashton,	Fetterolf,	Lee, A. M.,	Murphy, P. J.,
Barton,	Holliday,	Lippincott,	Stevens,
Bell,	Isaacs,	McInroy,	Stewart,
Dengler,	Johnson, R.,	Mahan,	Tompkins,
Donaldson,	Kernaghan,	Miller, B. Z.,	Williams, A. D., Jr.,
	Kessler,	Miller, H. G.,	Wilt,

NOT VOTING—21

Bowman,	Gibb,	Magee,	Stoner,
Breth,	Jones, T. H. W.,	Mihm,	Stroup,
Brown,	Kubitsky,	Moran,	Thompson,
Buchanan,	Lamb,	Odorisio,	Walsh,
Cooper,	Light,	Rudisill,	Welsh,
Fineman,			

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1075, entitled:

An Act requiring the approval of plans maps or plots relating to sewage and water facilities in realty subdivisions imposing duties on recorders of deeds granting powers to and imposing duties upon the Department of Health and its designated representatives and prescribing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—67

Anderson,	Foerster,	Lopresti,	Perry, P. E.,
Arlene,	Frascella,	Luigard,	Reidenbach,
Balthaser,	Galley,	Lutty,	Riley,
Boles,	Gallagher,	McCann,	Scarcelli,
Branca,	Garlock,	McKeever,	Schuster,
Capano,	Gelfand,	McLaughlin,	Schwartz,
Capitolo,	Goldstein,	Maxwell,	Sherman,
Clanfrani,	Hamilton,	Mouroe,	Silverman,
Cloff,	Heavey,	Muldowney,	Stank,
Clarke,	Holt,	Mullen,	Stone,
Dennis,	Irviss,	Munley,	Sullivan,
Devlin,	Jenkins,	Murphy, A. J., Jr.,	Taylor,
Dougherty,	Jones, F. R.,	Murray, J. J.,	Varallo,
Eilberg,	Kamyk,	Needham,	Wargo,
Filo,	Kornick,	O'Donnell, J. P.,	Yatron,
Floyd,	Leonard,	Parlante,	Andrews,
Flynn,	Limper,	Pashley,	Speaker

NAYS—116

Agnew,	Gramlich,	Meholchick,	Shupnik,
Ashton,	Guthrie,	Merry,	Seltzer,
Auker,	Heffner,	Miller, B. Z.,	Snare,
Barton,	Helm,	Miller, H. G.,	Snider,
Bell,	Henzel,	Mills,	Steckel,
Blair,	Hocker,	Murphy, P. J.,	Stevens,
Bonner,	Holliday,	Murray, H. P.,	Stewart,
Boris,	Horst,	Murray, P. G.,	Stimmel,
Bower,	Isaacs,	Musto,	Strausser,
Brenninger,	Jim,	Naugle,	Tompkins,
Burns,	Johnson, A. W.,	Nelson,	Trusio,
Crossin,	Johnson, R.,	O'Dell,	Ujobal,
Curwood,	Jump,	O'Donnell, J. A.,	Varner,
Davis,	Kee,	Ogilvie,	Verona,
Dengler,	Kelser,	O'Neill,	Wall,
Dennison,	Kernaghan,	Perry, H. H.,	Weidner,
Donahue,	Kessler,	Petrosky,	Wescott,
Donaldson,	Kooker,	Polaski,	Wheeler,
Down,	Korns,	Polen,	Whittaker,
Edwards,	Lee, A. M.,	Prendergast,	Williams, A. D., Jr.,
Eshback,	Lee, K. B.,	Price,	Williams, E. S.,
Eshleman,	Lippincott,	Pursley,	Willard,
Ewing,	McCandless,	Reibman,	Willaredt,
Farabaugh,	McCormack,	Renwick,	Wilt,
Fetterolf,	McDonald,	Rigby,	Wood,
Fox,	McInroy,	Rovansek,	Worley,
Frank,	Machmer,	Royer,	Wynd,
Fulmer,	Mahan,	Sakulsky,	Yetter,
Goodrich,	Markley,	SchAAF,	Zimmerman,

NOT VOTING—25

Bowman,	George,	Lamb,	Rudisill,
Breth,	Gibb,	Light,	Stoner,
Brown,	Jones, T. H. W.,	Magee,	Stroup,
Buchanan,	Knecht,	Mihm,	Thompson,
Comer,	Kovolenko,	Moran,	Walsh,
Cooper,	Kubitsky,	Odorisio,	Welsh,
Fineman,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the House of a former Member, Andrew Fenrich, former Member of the House from Allegheny County. He is the guest of the gentleman from Allegheny, Mr. Kamyk.

PROBLEMS OF DEMOCRACY CLASS WELCOMED

The SPEAKER. The Chair also notes that we have as our visitors today the Problems of Democracy class of the Annville High School, who are here under the guidance of their teacher, Miss Eleanor Whitmeyer. They are the guests of the gentleman from Lebanon, Mr. Seltzer.

I hope that that group, having surveyed us, will get some of the answers to the problems of democracy that are puzzling us and will come back and tell us.

BILL PASSED OVER

There being no objection

House Bill No. 1879, Printer's No. 1659; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1906, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

On the question,

Shall the bill pass finally?

Mr. GOODRICH. Mr. Speaker, the impact of House Bill 1906 would aggravate a long-standing problem in rural Pennsylvania.

A week ago there were amendments to the bill that would exclude the use of the funds allocated in the bill for the acquisition of land by the Game Commission in the case of sixth, seventh and eighth class counties, but in practical application there would be no difference in the use of the fund by the Game Commission.

In the last fiscal year the Game Commission used \$350,000 for the acquisition of land. That same amount of money could be used for the acquisition of land in sixth, seventh and eighth class counties. The funds from this bill, which would amount to \$250,000, could be used in third, fourth and fifth class counties.

I would like to point out that the Game Commission now can spend as much as \$100 per acre for land. Once the state holds the land it cannot ever be developed and can be changed from a high utilization to a low utilization. The state, of course, does not contribute a fair cost of local government, and because of that I

would like to ask the Members of the House to vote against the bill.

Mr. TOMPKINS. Mr. Speaker, from the time they started to issue hunting licenses in this state up until 1953 they earmarked \$1 of that license fee for the purchase of lands by the Game Commission to be used as public hunting grounds. By 1953 the Game Commission had acquired close to 900,000 acres of land in this state. At that time it was thought a good policy for the Commonwealth to discontinue the further purchase of those lands, and the earmarking of \$1 for land acquisition was at that time stricken out.

When the hunting license fee was increased to its present figure, they instead earmarked \$1.25 of the license fee for the purpose of food and cover for the purpose of populating that 900,000 acres with some game so that the hunter would have something to hunt for the license fee for which he paid.

If it was good policy in 1953 to have done that, I see no reason why we should today discontinue the policy of non-land acquisition. I feel we are going back into something which we condemned only a few short years ago as a further policy of this state. I am not satisfied that the Game Commission has as yet exhausted anywhere near its potential in its food and cover for game on the 900,000 acres it already has in order that the hunter will have something for the license fee for which he has paid.

In addition to those game lands the Forestry Department has close to 2 million acres of land so there are today 3 million acres of land for public hunting in the Commonwealth of Pennsylvania, and certainly I think those 3 million acres should first be populated before we authorize further land acquisition. For that reason I ask that you vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—67

Anderson,	Foerster,	McLaughlin,	Riley,
Arlene,	Frascella,	Meholchick,	Scarcelli,
Auker,	Galley,	Monroe,	Schuster,
Boles,	Heavey,	Muldowney,	Schwartz,
Bonner,	Holt,	Mullen,	Sherman,
Branca,	Irvs,	Munley,	Silverman,
Capano,	Jenkins,	Murphy, A. J., Jr.	Stank,
Capitolo,	Jones, F. R.,	Musto,	Steckel,
Clanfrani,	Jump,	Needham,	Stimmel,
Clarke,	Kamyk,	Nelson,	Stone,
Curwood,	Kornick,	O'Donnell, J. P.	Sullivan,
Dennis,	Leonard,	Parlante,	Taylor,
Devlin,	Limper,	Pashley,	Varallo,
Dougherty,	Lutty,	Perry, P. E.,	Wargo,
Eilberg,	McCann,	Petrosky,	Wheeler,
Filo,	McCormack,	Polen,	Andrews,
Flynn,	McKeever,	Reidenbach,	Speaker

NAYS—113

Agnew,	George,	McInroy,	Schaaf,
Ashton,	Goldstein,	Machmer,	Seltzer,
Balthaser,	Goodrich,	Mahan,	Shupnik,
Barton,	Gramlich,	Maxwell,	Snare,
Bell,	Guthrie,	Merry,	Snider,
Blair,	Heffner,	Miller, B. Z.,	Stevens,
Boris,	Helm,	Miller, H. G.,	Stewart,
Bower,	Henzel,	Mills,	Strausser,
Brenninger,	Hocker,	Murphy, P. J.,	Tompkins,
Burns,	Holliday,	Murray, H. P.,	Trusio,
Cioffi,	Horst,	Murray, J. J.,	Ujohal,
Crossin,	Isaacs,	Murray, P. G.,	Varner,
Davis,	Jim,	Naugle,	Verona,

Dengler,	Johnson, A. W.,	O'Dell,	Wall,
Dennison,	Johnson, R.,	O'Donnell, J. A.,	Weidner,
Donahue,	Kee,	Ogilvie,	Wescott,
Donaldson,	Kelser,	O'Neill,	Whittaker,
Down,	Kernaghan,	Perry, H. H.,	Williams, A. D., Jr.,
Edwards,	Kessler,	Polaski,	Williams, E. S.,
Eshback,	Kooker,	Prendergast,	Willard,
Eshleman,	Korns,	Price,	Willaredt,
Ewing,	Lee, A. M.,	Pursley,	Wilt,
Farabaugh,	Lee, K. B.,	Reibman,	Wood,
Fetterolf,	Lippincott,	Renwick,	Worley,
Fox,	Lopresti,	Rigby,	Wynd,
Frank,	Luigard,	Rovansek,	Yatron,
Fulmer,	McCandless,	Royer,	Yetter,
Gallagher,	McDonald,	Sakulsky,	Zimmerman,
Garlock,			

NOT VOTING—28

Bowman,	Floyd,	Kubitsky,	Odorisio,
Breth,	Gelfand,	Lamb,	Rudisill,
Brown,	Gibb,	Light,	Stoner,
Buchanan,	Hamilton,	Magee,	Stroup,
Comer,	Jones, T. H. W.,	Markley,	Thompson,
Cooper,	Knecht,	Mihm,	Walsh,
Fineman,	Kovolenko,	Moran,	Weish,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2302, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) further regulating cash sales of milk on farms.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Anderson,	Frank,	McCormack,	Riley,
Arlene,	Frascella,	McDonald,	Rovansek,
Ashton,	Fulmer,	McInroy,	Royer,
Auker,	Galley,	McKeever,	Sakulsky,
Balthaser,	Gallagher,	McLaughlin,	Scarcelli,
Barton,	Garlock,	Machmer,	Schaaf,
Bell,	Gelfand,	Mahan,	Schuster,
Blair,	George,	Markley,	Schwartz,
Boles,	Goodrich,	Maxwell,	Seltzer,
Bonner,	Gramlich,	Meholchick,	Sherman,
Boris,	Hamilton,	Merry,	Shupnik,
Bower,	Heavey,	Miller, B. Z.,	Silverman,
Branca,	Heffner,	Miller, H. G.,	Snare,
Brenninger,	Helm,	Mills,	Snider,
Burns,	Henzel,	Monroe,	Stank,
Capano,	Holliday,	Muldowney,	Steckel,
Capitolo,	Holt,	Mullen,	Stevens,
Clanfrani,	Irvs,	Munley,	Stewart,
Cioffi,	Isaacs,	Murphy, A. J., Jr.	Stimmel,
Clarke,	Jenkins,	Murphy, P. J.,	Strausser,
Comer,	Jim,	Murray, H. P.,	Sullivan,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Taylor,
Curwood,	Johanson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujohal,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Verona,
Dennison,	Kee,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Dell,	Walsh,
Donahue,	Kessler,	O'Donnell, J. A.,	Wargo,
Donaldson,	Knecht,	O'Donnell, J. P.	Weidner,
Dougherty,	Kooker,	O'Neill,	Wheeler,
Down,	Kornick,	Parlante,	Whittaker,
Edwards,	Korns,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Perry, H. H.,	Williams, E. S.,
Eshback,	Lee, A. M.,	Perry, P. E.,	Willard,
Eshleman,	Lee, K. B.,	Petrosky,	Willaredt,
Ewing,	Leonard,	Polaski,	Wood,
Farabaugh,	Limper,	Polen,	Worley,
Fetterolf,	Lippincott,	Prendergast,	Yatron,
Filo,	Lopresti,	Pursley,	Yetter,
Floyd,	Luigard,	Reibman,	Zimmerman,
Flynn,	Lutty,	Reidenbach,	Andrews,
Foerster,	McCandless,	Renwick,	Speaker
Fox,	McCann,		

NAYS—15

Agnew,	Horst,	Rigby,	Wescott,
Goldstein	Keiser,	Stone,	Wilt,
Guthrie,	Ogilvie,	Tompkins,	Wynd,
Hocker,	Price,	Varner,	

NOT VOTING—21

Bowman,	Fineman,	Light,	Rudisill,
Breth,	Gibb,	Magee,	Stoner,
Brown,	Jones, T. H. W.,	Mihm,	Stroup,
Buchanan,	Kubitsky,	Moran,	Thompson,
Cooper,	Lamb,	Odorisio,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission * * * authorizing the caucus chairman of each house to appoint substitutes in their stead as members of the executive commission.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—94

Anderson,	Frascella,	Machmer,	Rovansek,
Arlene,	Galley,	Mills,	Sakulsky,
Balthaser,	Gallagher,	Monroe,	Scarcelli,
Boles,	Garlock,	Muldowney,	Schaaf,
Bonner,	Gelfand,	Mullen,	Schuster,
Branca,	Hamilton,	Munley,	Schwartz,
Burns,	Heavey,	Murphy, A. J., Jr.	Sherman,
Capano,	Holt,	Musto,	Shupnik,
Capitolo,	Irviss,	Needham,	Silverman,
Cianfrani,	Jenkins,	Nelson,	Snider,
Cioffi,	Jim,	O'Donnell, J. A.,	Stank,
Clarke,	Jones, F. R.,	O'Donnell, J. P.	Stone,
Crossin,	Kamyk,	Parlante,	Sullivan,
Curwood,	Kornick,	Pashley,	Taylor,
Dennis,	Leonard,	Perry, H. H.,	Trusio,
Devlin,	Limper,	Perry, P. E.,	Varallo,
Dougherty,	Lopresti,	Petrosky,	Verona,
Ellberg,	Luigard,	Polaski,	Wargo,
Farabaugh,	Lutty,	Polen,	Wheeler,
Filo,	McCann,	Prendergast,	Yatron,
Floyd,	McCormack,	Reibman,	Yetter,
Flynn,	McDonald,	Reidenbach,	
Foerster,	McKeever,	Renwick,	Andrews,
Frank,	McLaughlin,	Riley,	Speaker

NAYS—86

Agnew,	George,	Lee, K. B.,	Snare,
Ashton,	Goldstein	Lippincott,	Steckel,
Auker,	Goodrich,	McCandless,	Stevens,
Barton,	Gramlich,	McInroy,	Stewart,
Bell,	Guthrie,	Mahan,	Strausser,
Blair,	Heffner,	Markley,	Tompkins,
Boris,	Helm,	Mehoichick,	Ujobal,
Bower,	Henzel,	Merry,	Varner,
Brenninger,	Hocker,	Miller, B. Z.,	Wall,
Davis,	Holliday,	Miller, H. G.,	Weidner,
Dengler,	Horst,	Murphy, P. J.,	Wescott,
Dennison,	Isaacs,	Murray, H. P.,	Whittaker,
Donahue,	Johnson, A. W.,	Murray, P. G.,	Williams, A. D., Jr.,
Donaldson,	Johnson, R.,	Naugle,	Williams, E. S.,
Down,	Jump,	O'Dell,	Willard,
Edwards,	Kee,	Ogilvie,	Willaredt,
Eshback,	Keiser,	O'Neil,	Wilt,
Eshleman,	Kernaghan,	Price,	Wood,
Ewing,	Kessler,	Pursley,	Worley,
Fetterolf,	Kooker,	Rigby,	Wynd,
Fox,	Korns,	Seltzer,	Zimmerman,
Fulmer,	Lee, A. M.,		

NOT VOTING—28

Bowman,	Gibb,	Magee,	Rudisill,
Breth,	Jones, T. H. W.,	Maxwell,	Stimmel,
Brown,	Knecht,	Mihm,	Stoner,
Buchanan,	Kovolenko,	Moran,	Stroup,
Comer,	Kubitsky,	Murray, J. J.,	Thompson,
Cooper,	Lamb,	Odorisio,	Walsh,
Fineman,	Light,	Royer,	Welsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Fulmer,	McCormack,	Sakulsky,
Anderson,	Galley,	McDonald,	Scarcelli,
Arlene,	Gallagher,	McInroy,	Schaaf,
Auker,	Garlock,	McKeever,	Schuster,
Balthaser,	Gelfand,	McLaughlin,	Schwartz,
Barton,	George,	Machmer,	Seltzer,
Bell,	Goldstein	Mahan,	Sherman,
Blair,	Goodrich,	Markley,	Shupnik,
Boles,	Gramlich,	Maxwell,	Silverman,
Bonner,	Guthrie,	Mehoichick,	Snare,
Boris,	Hamilton,	Merry,	Snider,
Bower,	Heavey,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Brenninger,	Helm,	Mills,	Stevens,
Burns,	Henzel,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stone,
Cianfrani,	Irviss,	Munley,	Strausser,
Cioffi,	Horst,	Murphy, A. J., Jr.	Sullivan,
Clarke,	Isaacs,	Murphy, P. J.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, A. W.,	Musto,	Ujobal,
Davis,	Johnson, R.,	Naugle,	Varallo,
Dengler,	Jones, F. R.,	Needham,	Varner,
Dennis,	Jump,	Nelson,	Verona,
Dennison,	Kamyk,	O'Donnell, J. A.,	Wall,
Devlin,	Kee,	O'Donnell, J. P.	Wargo,
Donahue,	Kelser,	O'Neil,	Weidner,
Donaldson,	Kernaghan,	Parlante,	Wescott,
Dougherty,	Kessler,	Pashley,	Wheeler,
Down,	Knecht,	Perry, H. H.,	Whittaker,
Edwards,	Kooker,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Korns,	Petrosky,	Williams, E. S.,
Eshback,	Kornick,	Polaski,	Willard,
Eshleman,	Kovolenko,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Pursley,	Wood,
Fetterolf,	Leonard,	Reibman,	Worley,
Filo,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,		
Frank,	McCandless,		
Frascella,	McCann,	Royer,	Andrews,
			Speaker

NAYS—5

Ashton,	Murray, P. G.,	O'Dell,	Ogilvie,
Hocker,			

NOT VOTING—21

Bowman,	Gibb,	Magee,	Stoner,
Breth,	Jones, T. H. W.,	Mihm,	Stroup,
Brown,	Kubitsky,	Moran,	Thompson,
Buchanan,	Lamb,	Odorisio,	Walsh,
Cooper,	Light,	Rudisill,	
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 375, Printer's No. 1403, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 832, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for the reorganization of school districts.

On the question,

Shall the bill pass finally?

BILL RECOMMENDED

Mrs. REIBMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Education for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 476, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Agnew,	Fulmer,	McCormack,	Royer,
Anderson,	Galley,	McDonald,	Sakulsky,
Arlene,	Gallagher,	McInroy,	Scarcelli,
Ashton,	Garlock,	McKeever,	SchAAF,
Auker,	Gelfand,	McLaughlin,	Schuster,
Balthaser,	George,	Machmer,	Schwartz,
Barton,	Goldstein,	Mahan,	Seltzer,
Bell,	Goodrich,	Markley,	Sherman,
Blair,	Gramlich,	Maxwell,	Shupnik,
Boies,	Guthrie,	Meholchick,	Silverman,
Bonner,	Hamilton,	Merry,	Snare,
Boris,	Heavy,	Miller, B. Z.,	Snider,
Bower,	Heffner,	Miller, H. G.,	Stank,

Branca,	Helm,	Mills,	Steckel,
Brenninger,	Henzel,	Monroe,	Stevens,
Burns,	Hocker,	Muldrowney,	Stewart,
Capano,	Holliday,	Mullen,	Stimmel,
Capitolo,	Holt,	Munley,	Stone,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Strausser,
Cioffi,	Irvis,	Murphy, P. J.,	Sullivan,
Clarke,	Isaacs,	Murray, H. P.,	Taylor,
Comer,	Jenkins,	Murray, J. J.,	Tompkins,
Crossin,	Jim,	Murray, P. G.,	Trusio,
Curwood,	Johnson, A. W.,	Musto,	Ujobal,
Davis,	Johnson, R.,	Naugle,	Varallo,
Dengler,	Jones, F. R.,	Needham,	Varner,
Dennis,	Jump,	Nelson,	Verona,
Dennison,	Kamyk,	O'Dell,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Wargo,
Donahue,	Keiser,	O'Donnell, J. P.	Weidner,
Donaldson,	Kernaghan,	Ogilvie,	Wescott,
Dougherty,	Kessler,	O'Neill,	Wheeler,
Down,	Knecht,	Parlante,	Whittaker,
Edwards,	Kooker,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Perry, H. H.,	Williams, E. S.,
Eshback,	Korns,	Perry, P. E.,	Willard,
Eshleman,	Kovolenko,	Polaski,	Willardt,
Ewing,	Lee, A. M.,	Polen,	Wilt,
Farabaugh,	Lee, K. B.,	Prendergast,	Wood,
Fetterolf,	Leonard,	Price,	Worley,
Filo,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	
Frank,	McCandless,	Riley,	Andrews,
Frascella,	McCann,	Rovansek,	Speaker

NAYS—1

Petrosky,

NOT VOTING—21

Bowman,	Gibb,	Magee,	Stoner,
Breth,	Jones, T. H. W.,	Mihm,	Stroup,
Brown,	Kubitsky,	Moran,	Thompson,
Buchanan,	Lamb,	Odorisio,	Walsh,
Cooper,	Light,	Rudisill,	Welsh,
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, may I interrogate one of the sponsors of the bill?

The SPEAKER. Will the gentleman from Allegheny, Mr. Irvis, consent to be interrogated?

Mr. DAVIS. Mr. Speaker, I yield to the major sponsor of the bill, Mr. Trusio. I am not familiar with the details.

The SPEAKER. Will the gentleman from Fayette, Mr. Trusio, consent to be interrogated?

Mr. TRUSIO. I shall, Mr. Speaker.

Mr. McCORMACK. As I understand this bill, Mr. Speaker, it permits, in a divorce case, publication of notice of the fact that a divorce has been started, in a newspaper in the county in which the divorce has commenced is that correct?

Mr. TRUSIO. That is correct, Mr. Speaker.

Mr. McCORMACK. Are you aware of the change that this bill would make in the present law?

Mr. TRUSIO. There is no change, Mr. Speaker. It only permits publication.

Mr. McCORMACK. There is no change? Thank you.

Mr. Speaker, it is my understanding of the law that where a divorce is started and service cannot be had on the defendant personally or by deputized service, the only other recourse, as far as notice is concerned, is by publication.

Under the present practice there is usually a preliminary hearing by the Master or by the Court to determine the last residence or whereabouts of the absent defendant who at that time has had no notice of the suit. As a result of that preliminary hearing the Court or Master decides in what county it would best serve the requirements of due process that the notice be published in the paper.

As I read this bill it merely requires publication to be made in the county where the divorce suit has commenced. I think for that reason the bill is bad when we consider that the purpose of the publication is to give notice, if at all possible, to the absent defendant. As a result of the preliminary hearing it might well be determined that the last whereabouts of the absent defendant was in a county other than the county in which the suit has been commenced, and it would really serve no real purpose in publishing the notice in the county in which the suit has been commenced, because the defendant would have no way of finding it. I think for that reason we ought to seriously consider voting on this bill, because this is the only notice that a person who cannot be served personally gets, and if we do not publish that notice in the county where the defendant last resided or the whereabouts was known, then we are eliminating one of the safeguards that we now have in the present law.

Mr. A. J. MURPHY. Mr. Speaker, I do not know the practice of divorce procedure in the county of Philadelphia, but I know that in fourth class counties you only have publication when the defendant cannot be found at all. When you have a major complaint you turn it over to the sheriff and if the sheriff cannot find the defendant, you have your plaintiff file an affidavit that they do not know where the defendant resides, you have no other alternative than to advertise by publication and to advertise by publication in the county in which the suit is entered.

This bill does not change the existing law. It only permits that the attorney may, at his discretion, or the sheriff may, at his discretion enter the notice of publication in a weekly newspaper as well as in a daily newspaper. I think this certainly offers no less notice to the defendant. It gives just as great a notice to the defendant. It follows exactly the same procedure as we have today and would continue to follow that procedure.

Mr. HELM IN THE CHAIR.

Mr. SCHWARTZ. Mr. Speaker, apropos of the gentlemen's remarks, I think he is absolutely correct. This bill I think was brought about by the fact that several of the Courts questioned the right of weekly newspapers to handle legal advertisements and publications such as this, and this is a directive to those courts by the Legislature

that publication in a weekly paper is just as good and valid as publication in a daily paper.

Mr. A. W. JOHNSON. Mr. Speaker, I may be wrong on this bill—I do not have the present Supreme Court rules with respect to advertising—but, I just tried to send down to the Attorney General's office to get the present rule.

The present rule, is, I believe, that you shall advertise a divorce in a newspaper published in that particular county. There are a lot of weekly newspapers that are not what you would call published in that particular county; they are printed in another county but are distributed in the county as a county newspaper or local newspaper within the county. This bill really says that you can have publication in a newspaper which is issued in the county. It does not use the magic word, "published." Therefore, the newspaper might be printed in Allegheny County but taken up to Mercer County and would be the weekly newspaper of the city of Sharon. It would be legal to have a divorce notice in that Sharon paper because, while the paper was not published as such in Sharon but was published in Pittsburgh but issued and circulated widely in Sharon, you could still have a legal publication in that paper. That is the way the bill looks to me. I could be wrong. I am sorry I do not have the Supreme Court ruling in front of me.

Mr. A. J. MURPHY. Mr. Speaker, I would like to inform the honorable candidate for the court that a newspaper of general circulation in the county wherein the defendant was last known to have resided or where the action is filed, regardless of where the paper was published or compiled, is a newspaper of general circulation.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Washington, Mr. Murphy?

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Murray, permit himself to be interrogated?

Mr. A. J. MURPHY. Washington used to be a part of Westmoreland County so we will accept the interrogation.

Mr. McCORMACK. Mr. Speaker, under this bill as written, is it not correct that you merely have to publish the fact that a suit has been started in the county where that suit has commenced?

Mr. A. J. MURPHY. That is right. Once the sheriff, Mr. Speaker, has returned the "not found," then you advertise in the county where the suit was commenced.

Mr. McCORMACK. Now what is the purpose behind the service of notice by publication?

Mr. A. J. MURPHY. To afford the defendant notice of the proceedings.

Mr. McCORMACK. In the hope that the defendant will see it in the newspaper, is that right, and also comply with due process?

Mr. A. J. MURPHY. That is right. I suppose that is the theory of the law, the theory of due process.

Mr. McCORMACK. Now under the present rules of court and procedure where it is determined that the defendant resides in another county, is there any requirement at the present time that service of notice by publication be had in the county where that defendant last resided?

Mr. A. J. MURPHY. No, Mr. Speaker, that is not so, because either one of the parties must reside in the county where the suit is commenced.

Either the defendant must have had his last known residence there, must reside there presently, or the plaintiff must reside there presently. If the defendant's whereabouts are known in some other county in the Commonwealth, then the sheriff of the county where the suit is instituted must certify the pleadings over to the sheriff of the county residence for service.

Mr. McCORMACK. Well, that is not exactly my point. I am assuming a factual situation where the defendant's precise residence is not known but the fact that he or she does reside in another county is known, where you can have no other method of service except by publication. Assuming those sets of facts, is it not a present requirement that notice by publication be published in the county where the defendant's last known residence was?

Mr. A. J. MURPHY. Mr. Speaker, I believe the gentleman from Philadelphia has a very good point. I think we should correct that by legislation but this is not the particular act. The requirement today does not exist that you publicize in the county where they had their last known residence.

The requirement under existing law, which is not changed by this particular bill is that you advertise where the suit is commenced or instituted and is going on. I believe that some day we might, and perhaps the gentleman from Philadelphia will go along with me and sponsor a bill which would, require publication in the county where they had their last known residence. That is not the law today.

Mr. McCORMACK. May I ask the gentleman from Washington, do they now have masters appointed by courts for divorce cases?

Mr. A. J. MURPHY. Yes sir, we have.

Mr. McCORMACK. And where there has been an unsuccessful attempt at service through the sheriff by personal service, is there not a preliminary determination made by a master or by the court to find out the whereabouts of the defendant?

Mr. A. J. MURPHY. Yes, Mr. Speaker, in all cases the master holds a hearing and at the proceedings he must determine whether or not the court has jurisdiction of the matter, and whether or not the plaintiff through his attorney has made a sincere effort to notify the defendant.

Mr. McCORMACK. In a preliminary hearing like that, where it is determined that the defendant in fact resides in another county whose precise address we do not know, is there no rule or process that requires publication in that county?

Mr. A. J. MURPHY. No sir, there is not, not under present law.

Mr. McCORMACK. Well, is not the requirement in this bill that publication be made in the county where the suit is commenced a mere waste of money?

Mr. A. J. MURPHY. I have often thought that in my practice of law there are things you have to do with the law that waste money, but, nevertheless, this does not change the law. This bill that we now have on the calendar merely permits the court at its discretion or the attorney and the sheriff to publicize in a weekly newspaper under the same existing conditions we have today, as they do under a daily newspaper.

Mr. McCORMACK. Is there anything in the law that requires that today, or is this by practice?

Mr. A. J. MURPHY. That is by law.

Mr. McCORMACK. You are talking about the Rules of Civil Procedure requiring publication in the county where the suit is commenced?

Mr. A. J. MURPHY. That is right. That is the law I am speaking of.

POINT OF ORDER

Mr. CAPANO. Mr. Speaker, I rise to a point of order. The SPEAKER pro tempore. The gentleman will state it.

Mr. CAPANO. Mr. Speaker, the debate is not germane to the issue before the House.

Mr. McCORMACK. Oh, it certainly is germane. I am trying to get some information.

The SPEAKER pro tempore. The Chair believes the debate has been pretty much confined to the issue before the House and does not believe this point of order is well taken.

Mr. CAPANO. Mr. Speaker, the issue in the bill is regarding advertising and the debate is on the legal procedure of divorce, which is not in the bill. It is not germane to the issue.

The SPEAKER pro tempore. The Chair feels that it has ruled on the question, that the debate has been germane to the subject before the House.

Mr. TOMPKINS. Mr. Speaker, I do not know what the Court Rules in Philadelphia County provide, but I think you will find that the Act of 1927, which was the Divorce Code under which we always operated until the Rules of Civil Procedure, provided that publication be made only in those cases where the defendant could not be served and could not be found and the publication be in a newspaper of general circulation in the county in which the proceedings originated.

The Rules of Civil Procedure adopted that same rule of law when they suspended the Divorce Code or the procedures under the Divorce Code, and it never has been that you publish in the county where the last known address was.

Now Philadelphia County may have Court Rules to the contrary, but the general law in the state of Pennsylvania is as has been stated here on the floor by the gentleman from Washington, Mr. Murphy.

Mr. GELFAND. Mr. Speaker, my only comment was going to be that perhaps we ought to pass this bill over until we can check the rules because there appears to be a dispute as to what the rules presently hold.

Mr. McCANN. Mr. Speaker, I see no reason to pass the bill over. It is a simple bill dealing with newspaper legal advertisement of general circulation. I realize the discussion has gone on here, but I think it can be cleared up very simply.

All this bill is doing, I think many of the counties which have weekly newspapers of general circulation are interested in this particular piece of legislation, and I favor this legislation because I think it is very good legislation and we all ought to support it.

The SPEAKER pro tempore. The Chair hears objection to the bill being passed over.

Mr. LIPPINCOTT. Mr. Speaker, I think the gentleman from Philadelphia, Mr. McCormack, has a good point.

As I read this bill it is not clear to me where the punctuation point should be on page 2, line 1. If there is a comma after "direct," which there may very well be,

then the adoption of this statute would vitiate the local rule in effect apparently in Philadelphia County.

I think the gentleman from Philadelphia, Mr. Gelfand, is correct, that we ought to take a little time to look at this. After all, this is a non-partisan bill and we are trying to do a good job. I think we could look into it overnight and try to come up with the right answer on it.

Mr. SHERMAN. Mr. Speaker, if we get nothing else done in this House, we certainly get to know a lot of law before we are through. As for today, we are getting some divorce law.

Those familiar with the rules of publication I presume this particular bill is concerned with the initial rule of publication. There may be much to be said on both sides that the law is very different both in Philadelphia and the other counties, but the initial publication is only in the county where the suit is started. There is no reason to have it otherwise. I mean we have other publications, for example the final proceedings, that is in the county where the party may be, and also the master's hearing where the publication is required. That is made at the discretion of the master either in the county where the suit was started or in the county where the defendant may have been last known.

This bill only refers to the publication required where the rules require publication once a week for three weeks. We are referring to the initial publication and there is no necessity to rule otherwise than that it shall be in the county where the proceedings were started regardless of whether the defendant knows about it or not, because he will have two strikes to find out about the divorce if he is interested. Therefore, the only change in the bill is to have a newspaper of general circulation, that have been deprived of the right to advertising, to insert the publication, but the rule is the same throughout the Commonwealth, only in the county where the suit was started.

Mr. A. W. JOHNSON. Mr. Speaker, I sent upstairs and obtained the present prevailing Supreme Court rule, and the rule says that publication shall be made by the sheriff once a week for three successive weeks in such manner as the court by general rule or special order shall direct. In other words, you have a different rule in every county as to what will be legal publication.

I am fairly sure that in my county it says a newspaper published in the county and this bill, of course, will change our rule for it says that the newspaper merely has to be issued in the county. I believe that there is a chance that if every county in Pennsylvania has a rule of its own as to what is sufficient publication, whether it has to be in a newspaper published in the county or issued in the county or of general circulation in the county, or as this bill says, one that is distributed in the county, perhaps by this bill we are certainly upsetting and changing drastically the rules for publishing a divorce in practically every county in the Commonwealth.

I believe I agree with Mr. Lippincott and Mr. Gelfand that is a pretty hasty action because when you are dealing with publishing a divorce you are dealing, of course, with the rights of married people, which goes to the rights of children and property and everything. I believe that this should be put on the postponed calendar.

BILL POSTPONED

Mr. A. W. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, of course I am limited now by the motion that the gentleman made, but so that he will check, in 1957 you passed in this House this bill, word for word, dot for dot, t for t, by a unanimous vote. It is in the record.

I have no alternative except to go along with the motion, but I would like to say to you that in each of the counties the courts do set their own rules. I think you will agree there are weekly newspapers in many counties published in the county, all of general circulation. Some may be printed in another area but they are distributed within that county in general circulation. This would give to the courts our idea that these papers are correct for this legal advertisement.

I believe, as I said a moment ago, that we should support this legislation. The Pennsylvania Newspaper Publishers' Association tells us there are over 100 weeklies in various counties. This would make it uniform that they could publish this advertisement in one of those papers, which is legal, just as much as it is in a daily paper because the daily paper in some cases is now published in another county and distributed through the county of which the court has jurisdiction. So there is nothing wrong with it.

Mr. Speaker, I concur in the motion to place the bill on the postponed calendar and tomorrow we shall bring it back off the postponed calendar.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 1152, Printer's No. 1584 and

House Bill No. 1161, Printer's No. 1375

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1340, entitled:

An Act amending the act of April 22, 1889 (P. L. 41) entitled "An act relative to entry of judgment authorizing the courts to permit the same to be made by the prothonotary on praeceipe" requiring notice by registered mail to persons against whom judgment is sought for want of an appearance.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. IRVIS. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary for the purpose of further consideration.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles" etc permitting payment of time balances in amounts varying with the expected income of the buyer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Fulmer,	McCormack,	Rovansek,
Anderson,	Galley,	McDonald,	Royer,
Arlene,	Gallagher,	McInroy,	Sakulsky,
Ashton,	Garlock,	McKeever,	Scarcelli,
Balthaser,	Gelfand,	McLaughlin,	Schaaf,
Barton,	George,	Machmer,	Schuster,
Bell,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Maxwell,	Sherman,
Bonner,	Guthrie,	Meholchick,	Shupnik,
Boris,	Hamilton,	Merry,	Silverman,
Bower,	Heavey,	Miller, B. Z.,	Snare,
Bowman,	Heffner,	Miller, H. G.,	Snider,
Branca,	Helm,	Mills,	Stank,
Brenninger,	Henzel,	Monroe,	Steckel,
Burns,	Hocker,	Muldowney,	Stevens,
Capano,	Holliday,	Mullen,	Stewart,
Capitolo,	Holt,	Munley,	Stimmel,
Clanfrani,	Horst,	Murphy, A. J., Jr.	Stone,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Sullivan,
Comer,	Jenkins,	Murray, J. J.,	Taylor,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobai,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennis,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Keiser,	O'Donnell, J. P.	Wargo,
Donaldson,	Kernaghan,	Ogilvie,	Weldner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Ellberg,	Kornick,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Korns,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kovolenko,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wilt,
Fetterolf,	Leonard,	Prendergast,	Wood,
Filo,	Limper,	Price,	Worley,
Floyd,	Lippincott,	Pursley,	Wynd,
Flynn,	Lopresti,	Reibman,	Yatron,
Foerster,	Lulgard,	Reldenbach,	Yetter,
Fox,	Lutty,	Renwick,	Zimmerman,
Frank,	McCandless,	Rigby,	Andrews,
Frascella,	McCann,	Riley,	Speaker

NAYS—1

Auker,

NOT VOTING—20

Breth,	Gibb,	Magee,	Stoner,
Brown,	Jones, T. H. W.,	Mihm,	Stroup,
Buchanan,	Kubitsky,	Moran,	Thompson,
Cooper,	Lamb,	Odorisio,	Walsh,
Fineman,	Light,	Rudisill,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1560, Printer's No. 1658 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1563, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), eliminating certain provisions relating to corporate fiduciaries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Galley,	McDonald,	Royer,
Anderson,	Gallagher,	McInroy,	Sakulsky,
Arlene,	Garlock,	McKeever,	Scarcelli,
Ashton,	Gelfand,	McLaughlin,	Schaaf,
Balthaser,	George,	Machmer,	Schuster,
Barton,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Maxwell,	Sherman,
Bonner,	Guthrie,	Meholchick,	Shupnik,
Boris,	Hamilton,	Merry,	Silverman,
Bower,	Heavey,	Miller, B. Z.,	Snare,
Bowman,	Heffner,	Miller, H. G.,	Snider,
Branca,	Helm,	Mills,	Stank,
Brenninger,	Henzel,	Monroe,	Steckel,
Burns,	Hocker,	Muldowney,	Stevens,
Capano,	Holliday,	Mullen,	Stewart,
Capitolo,	Holt,	Munley,	Stimmel,
Clanfrani,	Horst,	Murphy, A. J., Jr.	Stone,
Cioffi,	Isaacs,	Murray, H. P.,	Strausser,
Clarke,	Irviss,	Murray, J. J.,	Sullivan,
Comer,	Jenkins,	Murray, P. G.,	Taylor,
Crossin,	Jim,	Murphy, P. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobai,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennis,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Donnell, J. A.,	Verona,
Devlin,	Kee,	O'Donnell, J. P.	Wall,
Donahue,	Keiser,	Ogilvie,	Wargo,
Donaldson,	Kernaghan,	O'Neil,	Weldner,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Knecht,	Pashley,	Wheeler,
Edwards,	Kooker,	Perry, H. H.,	Whittaker,
Ellberg,	Kornick,	Perry, P. E.,	Williams, A.D., Jr.,
Eshback,	Korns,	Petrosky,	Williams, E. S.,
Eshleman,	Kovolenko,	Polaski,	Willard,
Ewing,	Lee, A. M.,	Polen,	Willaredt,
Farabaugh,	Lee, K. B.,	Prendergast,	Wilt,
Fetterolf,	Leonard,	Price,	Wood,
Filo,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Lopresti,	Reldenbach,	Yatron,
Foerster,	Lulgard,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Zimmerman,
Frank,	McCandless,	Riley,	Andrews,
Frascella,	McCann,	Rovansek,	Speaker
Fulmer,	McCormack,		

NAYS—3

Auker,

Bell,

O'Dell,

NOT VOTING—20

Breth,	Gibb,	Magee,	Stoner,
Brown,	Jones, T. H. W.,	Mihm,	Stroup,
Buchanan,	Kubitsky,	Moran,	Thompson,
Cooper,	Lamb,	Odorisio,	Walsh,
Fineman,	Light,	Rudisill,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1592, Printer's No. 1598; and

House Bill No. 1904, Printer's No. 1664 were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965), decreasing one tax clarifying certain types of aircraft.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. Speaker, I would like to interrogate one of the sponsors.

The SPEAKER pro tempore. Will one of the sponsors of this bill permit himself to be interrogated? The gentleman from Philadelphia, Mr. Eilberg?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. BELL. What is the purpose of this bill, Mr. Speaker?

Mr. EILBERG. In House Bill No. 1927, the purpose of the bill is to reduce the tax on jet fuels from one and one-half cents per gallon to one cent.

This, Mr. Speaker, is a companion bill to House Bill No. 506, Printer's No. 393. House Bill 506 passed this House on May 5 by a vote of 161 to 30. Apparently the subject matter of 506 also appears in the Fuel Use Tax Act which is what we are now amending.

Mr. BELL. Mr. Speaker, is not the purpose of the present bill to extend to turbo-jet planes the privileges that were extended to jet planes?

Mr. EILBERG. This is merely a clarifying amendment which I believe, Mr. Speaker, will be offered to the other bill, House Bill 506, which passed this House.

Mr. BELL. What, Mr. Speaker, is the nature of this clarifying amendment?

Mr. EILBERG. The purpose of the amendment to the Fuel Use Tax Act which we are offering is to reduce the tax from one and one-half cents per gallon to one cent a gallon. The language the gentleman is specifically referring to is to clarify existing terminology in the aircraft field.

Mr. BELL. Mr. Speaker, may I again ask the gentleman, does this not lower the tax on jet fuel consumed by jet planes which use propellers, known as turbo-jet propeller planes?

Mr. EILBERG. The answer is yes, Mr. Speaker.

Mr. BELL. I thank the gentleman.

Mr. Speaker, I rise to oppose this bill.

Recently in an open hearing of the Appropriations Committee the Department of Military Affairs asked for, I believe it was, \$1.5 million of state money to construct airport improvements. In other words they asked us to give from moneys collected from all the taxpayers in Pennsylvania \$1.5 million to be used in airport construction. Because of this fact that there is apparently insufficient money raised by taxes on aviation fuel, the Department of Military Affairs now asks us to give taxpayers' money, general tax money, which could better be used in mental hospitals and schools than for airport construction.

I say that by reducing this tax on these turbo-jet planes it is going to increase the cost to the general taxpayer; therefore I am going to vote against the bill, and I ask others to vote against the bill.

Mr. EILBERG. Mr. Speaker, the same considerations that were present previously in House Bill 506 are present here today. This is the jet age. We have a brand new industry which is arriving, and the states around us do not have any such tax. We find ourselves in a position where the aircraft companies are by-passing Pennsylvania so as to save the money that is involved as far as jet fuel is concerned.

Jet planes use something like three times the ordinary consumption of gasoline that ordinary plane use, and we certainly want to encourage jet planes coming into Pennsylvania to use our facilities here.

Now, specifically in answer to the gentleman's comment in which he said loss of revenue involved, I would point out, if the gentleman's reasoning were correct, that when the tax was lowered to one and one-half cents per gallon in 1956 we might have expected that in the years following 1956 the tax income might have been reduced, but in fact such is not the case.

I have in my hands, figures indicating that even though the tax went down from five cents to one and one-half cents per gallon on aviation gas, from 1956 on the revenue received for aviation gas actually was increased year by year. The jet tax was created in 1956, one and one-half cents per gallon for the first time, and it almost doubled the following year.

With the enormous increase in gasoline consumption in jet plane, from the figures presented by the Auditor General himself, I feel sure that the Commonwealth of Pennsylvania is bound to receive enormously increased income when we consider the tremendous benefit of bringing new industry into Pennsylvania. I cannot help but see how this bill would be of enormous value to the state of Pennsylvania.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Agnew,	Filo,	McCann,	Renwick,
Anderson,	Floyd,	McCormack,	Riley,
Arlene,	Flynn,	McDonald,	Rovansek,
Balthaser,	Foerster,	McKeever,	Scarcelli,
Blair,	Frascella,	McLaughlin,	Schaaf,
Boies,	Galley,	Machmer,	Schuster,
Bonner,	Gallagher,	Meholchick,	Schwartz,
Bower,	Gelfand,	Miller, B. Z.,	Sherman,
Branca,	Hamilton,	Monroe,	Shupnik,
Brenninger,	Heavey,	Muldowney,	Silverman,
Burns,	Henzel,	Mullen,	Snider,
Capano,	Holt,	Munley,	Stewart,
Capitolo,	Irvis,	Murphy, P. J.,	Stone,
Cianfrani,	Jenkins,	Murray, J. J.,	Sullivan,
Cioffi,	Jim,	Musto,	Taylor,
Clarke,	Johnson, A. W.,	Nelson,	Trusio,
Comer,	Johnson, R.,	O'Donnell, J. A.,	Ujobai,
Crossin,	Jones, F. R.,	O'Donnell, J. P.	Varallo,
Curwood,	Kamyk,	Parlante,	Varnier,
Dennis,	Kee,	Fashley,	Verona,
Dennison,	Kornick,	Perry, H. H.,	Wargo,
Devlin,	Lee, A. M.,	Perry, P. E.,	Wheeler,
Donaldson,	Leonard,	Polaski,	Willaredt,
Dougherty,	Limper,	Polen,	Yatron,
Edwards,	Lippincott,	Prendergast,	Yetter,
Eilberg,	Lopresti,	Reibman,	
Farabaugh,	Luigard,	Reidenbach,	Andrews,
Fetterolf,	Lutty,		Speaker

NAYS—73

Ashton,	Gramlich,	Maxwell,	Stank,
Auker,	Guthrie,	Merry,	Steckel,
Barton,	Helm,	Miller, H. G.,	Stevens,
Bell,	Hoeker,	Mills,	Stimmel,
Bowman,	Holliday,	Murphy, A. J., Jr.	Strausser,
Davis,	Horst,	Murray, H. P.,	Tompkins,
Dengler,	Isaacs,	Murray, P. G.,	Wall,
Donahue,	Jump,	Naugle,	Weidner,
Down,	Kelser,	Needham,	Wescott,
Eshback,	Kernaghan,	O'Dell,	Whittaker,
Eshleman,	Kessler,	Ogilvie,	Williams, A. D., Jr.,
Ewing,	Kooker,	O'Neil,	Williams, E. S.,
Fox,	Korns,	Petrofsky,	Willard,
Frank,	Lee, K. B.,	Price,	Wilt,
Fulmer,	McCandless,	Pursley,	Wood,
Garlock,	McInroy,	Rigby,	Worley,
George,	Mahan,	Royer,	Wynd,
Goldstein,	Markley,	Sakulsky,	Zimmerman,
Goodrich,			

NOT VOTING—26

Boris,	Hefner,	Magee,	Snare,
Breth,	Jones, T. H. W.,	Mihm,	Stoner,
Brown,	Knecht,	Moran,	Stroup,
Buchanan,	Kovolenko,	Odorisio,	Thompson,
Cooper,	Kubitsky,	Rudisill,	Walsh,
Fineman,	Lamb,	Seltzer,	Welsh,
Gibb,	Light,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1971, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class under certain conditions.

On the question,

Will the House agree to the bill on third reading?

Mr. KAMYK asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 2, page 8, line 18, by inserting after "OF" "liquor and".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

The SPEAKER pro tempore. We intend to pass over the bills on the rest of the calendar except for two bills to be amended, if that is the desire of the Majority and Minority Leaders.

Mr. McCANN. Mr. Speaker, it is, plus the recall resolutions.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

On the question,

Will the House agree to the bill on third reading?

Mr. SNARE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 733), page 2, line 12, by striking out "state" and inserting: "State."

Amend Sec. 2 (Sec. 733.1), page 3, line 15, by inserting after "Drawings": "(a)."

Amend Sec. 2, (Sec. 733.1), page 4, line 1, by underscoring: "and laboratories."

Amend Bill, page 4, by inserting between lines 11 and 12:

"(b) Any person may present to the Department of Public Instruction, plans and drawings for public schools. Such plans and drawings shall conform to the requirements of this act. When such plans are approved by the Department of Public Instruction they shall be kept on file and made available without cost to school districts."

Amend Sec. 4, page 4, line 13, by striking out "This" and inserting: "The provisions of subsection (b) of section 733.1 of this act shall take effect immediately. The remaining provisions of this."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. STRAUSSER. Mr. Speaker, I want to call the attention of the House to the words "any person." I want to also call to the attention of the House that whether we like it or not the law now requires that plans of a building containing 30,000 cubic feet, or costing \$10,000 or more, must be prepared by a registered architect or a registered engineer before being submitted. Of course, they can be submitted, but the Department of Labor and Industry cannot look at or approve drawings which do not bear the seal of a registered architect or registered engineer.

I call this matter to your attention because I think the bill without the amendments is a good bill. I would hate to see a good bill spoiled by such an amendment. I think the purpose of this amendment is to try to save the school districts and the taxpayers' money in plans, but we must take into consideration the fact that there are at least 20 sets of plans required, general plans, and because of the Separation Act, another 20 or more sets of plans of the plumbing, heating and electrical work. Now that is not one plan referred to in this amendment. In other words, Instead of one plan, you are going to have about 40 sets for the purpose of bidding a job.

If this amendment were adopted, the question comes up, who would be responsible for making up these additional sets of plans? As I see it, the Department of Public Instruction would have to put on a crew of registered architects or architectural draftsmen, probably a separate unit in the Department, to make these plans available for a school district. The question in my mind is whether there would be any money saved at all. You would have this planned unit set up at great cost to the taxpayers of the state.

Then another question to be taken into consideration is, if this amendment were adopted, who would be responsible for the interpretation of the plans and specifications? Who would interpret on the bids taken? I think it would create an impossible situation in this state if we adopt these amendments. I ask the House to vote against them.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Huntingdon, Mr. Snare?

The SPEAKER pro tempore. Will the gentleman from Huntingdon, Mr. Snare, permit himself to be interrogated?

Mr. SNARE. I shall, Mr. Speaker.

Mr. McCANN. Mr. Snare, you offered these amendments, did you not sir?

Mr. SNARE. I did, sir.

Mr. McCANN. Will the gentleman inform the House of his definition of "any person," which is part of the wording of the amendment which he offered?

Mr. SNARE. Mr. Speaker, that was changed by the Legislative Reference Bureau—by another gentleman. They spelled out some of the people who would be submitting these plans and they said, in a general term, "any person" would cover the ones that were mentioned. So, I am in rather an odd position.

Mr. McCANN. Mr. Speaker, would the gentleman answer this question for us: New York State has a catalogue system of blueprints for school construction. If he were in a bordering county, which he is not, but if he were in a bordering county on the New York line and he received a catalogue set of prints from the State of New York, which at one time were evidently prepared by their department, would that be "any person"?

Mr. SNARE. Well, I assume that would be.

Mr. McCANN. I am asking you if it would be?

Mr. SNARE. I think so. To me it would sound like that, yes.

Mr. McCANN. Mr. Speaker, were his amendments, will he inform the House, intended in any way to say that I, or yourself, who are not in this field in any way, would be permitted to present blue prints?

Mr. SNARE. Well, Mr. Speaker, I think that in back of this was the intention to allow anyone to present to the Department of Public Instruction a set of plans whereby a school district could come to Harrisburg and get the set of plans—this may be the long way around to answer your question—to get a set of plans, to get ideas. They may not use the plans to build by, but they will save the cost of having an architect draw up a set of plans and their not being used.

Mr. McCANN. Mr. Speaker, will the gentleman tell the House then carefully, because I think the amendments have some merit, that if it was his intention in these amendments, for instance, Arizona uses a typical example of catalogue on school construction, Michigan, Virginia, New York, Maryland, Connecticut, South Carolina, if I wrote to any one of those and got a catalogue of their ideas of what a school looks like, would that be "any person"?

Mr. SNARE. To me it would be, yes. It sounds like it would be.

Mr. McCANN. Is that the intention of the description of the proposed amendments?

Mr. SNARE. Well, I would say it was not my intent, no.

Mr. McCANN. What was your intent?

Mr. SNARE. That anybody, and I was thinking of anyone within the confines of the Commonwealth of Pennsylvania, naturally, who is interested in school construction would submit, whether he is an architect, whether he is a company that is doing prefab work, and anyone such as that.

Mr. McCANN. Mr. Speaker, would the gentleman inform us on one other point? When you first worked on these amendments, would you care to clarify what you had in the wording before the Legislative Reference Bureau changed it to "any persons"?

Mr. SNARE. Well, Mr. Speaker, if I can remember, if my memory serves me correctly, I think the words were "architect, any business." There were about three or four and my memory does not serve me too correctly right now.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

The gentleman from Columbia, Mr. Strausser, is correct in every item that he has stated regarding the cubic feet of a building, the cost of a building and the present law dealing with architects of a building and the present law dealing with architects, but I would like to bring to his attention that 2173, which he knows quite well is a result of the work of a subcommittee in the State Public School Building Authority, and I know that he is aware of who served on that committee and this is a part of their report. I would like to bring to his attention that I think the amendments, as I look at them, have some merit.

I am not here to defend the architects in any way, and I am not going to begin now, but if these amendments do what I think they do, if the gentleman from Huntingdon is correct and my interpretation is correct, I can submit to the Department plans that I have received from a catalogue in Arizona, New York, Maryland or Connecticut, because each of these have approved types of school construction.

Now, I would like to ask the gentleman from Columbia, Mr. Strausser, if he finds anything wrong with that?

Mr. STRAUSSER. Mr. Speaker, I request unanimous consent to address the House.

The SPEAKER pro tempore. The Chair hears no objection.

Mr. STRAUSSER. Unanimous consent gives me the permission to speak on the bill, does it not?

The SPEAKER pro tempore. The gentleman will proceed. The Chair will stop him if he is out of order.

Mr. STRAUSSER. As I see it, House Bill 2173, Printer's No. 1660, purports to set up standards. In other words, we have been after standardization of buildings for some time. I know I was interested in it for the three or four Sessions I have been here. This House bill itself purports to do that, to standardize schoolrooms, cafeterias, health rooms, and all other rooms in the school building. These then, after approval by the department, would be made available to architects to design the building they are requested to design. The idea of the bill is to hold the architects in line, as it were.

I want the Majority Leader to know that I probably fought with more architects than anybody in this House, so I am not protecting architects, but I am trying to look forward to what might happen if you have the so called 'plans for pigeon-hole file.' There would not be, as I say,

anybody to interpret the plan unless you have a corps of architects in the department to do so.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman for just a couple of minutes.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. STRAUSSER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Columbia, Mr. Strausser, tell us if the amendments that Mr. Snare offered, do anything more than permit the offering of a plan to the department for its approval? Any person may submit," I believe was the way the wording was?

Mr. STRAUSSER. In answer, I think that is the wording Mr. Speaker, but how much further will that go? Is it understood that anybody, I or anyone else, can submit a set of plans to the department without having the approval of the Department of Labor and Industry stamp thereon?

Mr. McCANN. Mr. Speaker, will the gentleman answer the question, if he feels that this will only permit the offering of such plans for their consideration?

Mr. STRAUSSER. I believe that is right.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

I believe that we should adopt these amendments because I know that the entire membership of this House knows that no plans of any school that would come within the scope of this proposed legislation would not have to be plans that are complete within the scope of architectural engineering, but I do believe that school districts under Mr. Snare's amendments would have no opportunity to present such plans or ideas to the department that they may have gotten from some other area or state.

I took these amendments in that light and I believe that they deserve meritorious consideration because you can not in this bill provide that those plans would be plans that would not meet the approval of Labor and Industry, as to fire walls and materials which an architect or engineer must abide by. I am talking about general overall architectural landscaping view and types of buildings.

Mr. STRAUSSER. My caution would be thinking of the value of plans that the department will get, they better get ready to put in another unit to look over the plans.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

The SPEAKER pro tempore. Without objection, the remaining bills on today's calendar not considered will be passed over.

The Chair hears none.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1652

Mr. WARGO. Mr. Speaker, I move that the vote by which House Bill No. 1652, Printer's No. 1633, entitled:

"An Act amending the 'Employment Agency Law', approved July 31, 1941, (P. L. 616), changing definitions,

licensing criteria and licensing suspension and revocation procedures; reducing fees for representative licenses, changing the authority of employment agents with regard to charging fees and utilizing certain methods of doing business, providing for minimum fees in certain types of engagements, clarifying the applicability of other laws to employment agents, changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department."

was defeated on Final Passage Tuesday, September 15, 1959, be reconsidered.

Mrs. MARKLEY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Wargo vote on the final passage of this bill?

Mr. WARGO. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the lady from Lehigh, Mrs. Markley vote on the final passage of this bill?

Mrs. MARKLEY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. WARGO. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 2 (Section 5), page 7, line 20, by inserting after "applicant"

In lieu of such prior employment by an existing employment agency an applicant shall be qualified if he has a degree from an accredited college requiring at least four years undergraduate study in the field of personnel relations or personnel management

Amend Section 8 (Section 29), page 26, line 14, by striking out the brackets before and after "knowingly"

Amend the bill, page 27, by inserting after line 4

Section 9 This act shall become effective six months after final enactment

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, the amendments to 1652, Printer's No. 1633, that I am offering to this bill, are taken from the debate the other day in correcting each of the items brought out in the debate dealing with the term which a person must serve, the debate dealing with the effective date and for each of those members that said with these amendments they will vote for the bill.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

RECALLING SENATE BILL NO. 824 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, September 18, 1959.

Resolved (if the House of Representatives concurs), that Senate Bill No. 824, Printer's No. 950, entitled "An act amending the act of May 11, 1911 (P. L. 279) entitled 'An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case' further providing for the taking of exceptions to ruling of the trial judge," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 1297 and 1615.

Amended Senate Bills non-concurred in by Senate Nos. 436 and 864.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

HOUSE BILL No. 1701.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending the period for shooting on regulated shooting grounds.

HOUSE BILL No. 1797.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second third and fourth class and validating certain taxes.

HOUSE BILL No. 2094.

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved Sept. 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for National Education.

With the information that the Senate has passed the same without amendment.

REPORT FROM COMMITTEE

Mr. CLARKE from the Committee on Cities Counties Second and Second Class A, reported as committed, Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employes.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employes.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 141, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

And has appointed Messrs. PECHAN, MALLERY and RIPP and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the difference between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 163, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaparrons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

And has appointed Messrs. WAGNER, EHRGOOD and KALMAN and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 274, entitled:

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

And has appointed Messrs. WATKINS, WADE and MULLIN and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto.

And has appointed Messrs. KOPRIVER, FLACK and MURRAY and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 623, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

And has appointed Messrs. VAN SANT, SCOTT and SILVERT and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

And has appointed Messrs. EHRGOOD, WAGNER and RIPP and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And has appointed Messrs. ELLIOT, SHAFER and MAHADY and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 632.

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

HOUSE BILL No. 680.

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) changing provisions relating to weighing and measuring permits.

HOUSE BILL No. 958.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) including costs of grading sewage treatment plants and interest thereon in computing reimbursable rentals.

HOUSE BILL No. 997.

An Act designating the whitetail deer as the official State animal.

HOUSE BILL No. 1463.

An Act repealing sections 1261, 1262 and 1263 of "The County Code" approved August 9, 1955 (P. L. 323) relating to recognizance of sheriffs and coroners.

HOUSE BILL No. 1907.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) clarifying the provisions relating to shooting across or at wild birds or animals on highways.

HOUSE BILL No. 2014.

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partner-

ships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

HOUSE BILL No. 2203.

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) permitting reciprocal licensure of foreign applicants.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

CONDOLENCE

Mr. FRANK, Mrs. MARKLEY, Messrs. STECKEL and STIMMEL offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 21, 1959.

The members of this House of Representatives are shocked and grieved to learn of the sudden and unexpected death of Frank F. Hausman, a prominent and leading citizen of Allentown on September 14, 1959.

A native of Allentown, and educated in the public schools there, he entered into the paving business in 1928 and at the time of his death was president and treasurer of Frank F. Hausman Paving Company, Frank F. Hausman Equipment Rental Corporation, and Frank F. Hausman Materials Company.

Throughout the years as a businessman Mr. Hausman was active as a worker and officer of the Democratic Party. An F.D.R. man in 1936, Mr. Hausman was elected by the party that year for the first time as one of its two delegates to the Democratic National Convention. Every four years from that time on he was picked to represent the party at the big National convention. In 1938 he was the party's candidate for State Senator but lost out in the general election.

A devoted citizen, for many years he served many community organizations notably as President of the Allentown Fair and the Lehigh Valley Club and was a member of the State Highway and Bridge Authority.

Frank F. Hausman was an inspiration to many of his fellow citizens and friends as he gave generously of his time, talent and energy in order to better his community, his fellowman and to encourage worthy causes; therefore be it

Resolved, That in the passing of Frank F. Hausman, his community and many friends have lost one who labored long and devotedly on their behalf; and be it further

Resolved, That in evidence of the deep sympathy of the members of this House of Representatives, a copy of this resolution be sent to his widow, Mrs. Pearl K. Hausman.

COMMITTEE MEETINGS

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, September 22, at 9:15 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, September 22 at 10:30 a.m.

MILITARY AFFAIRS, Mr. Needham, Chairman, Room 324, Tuesday, September 22 at 11:30 a.m.

MOTOR VEHICLES, Mr. Dougherty, Chairman, Room 521, Tuesday, September 22 at 11:45 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, Chairman, Room 131-B, Tuesday, September 22 at 11:00 a.m.

TOWNSHIPS, Mr. Kornick, Chairman, Room 131-A, Tuesday, September 22 11:30 a.m.

ADJOURNMENT

Mr. SILVERMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 22, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 7:10 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, SEPTEMBER 22, 1959.

No. 95.

SENATE

TUESDAY, SEPTEMBER 22, 1959.

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. RALPH NEWELL, Pastor of The First Baptist Church, Kittanning, offered the following prayer:

O Lord God, we bless Thee for Thy hand upon our lives, and for the sure knowledge that however we may falter and fail, yet underneath are Thine everlasting arms.

Let us today embark on no undertaking that it not in line with Thy will for our lives, nor shrink from any sacrifice which Thy will may demand.

Suggest, direct and control every moment of our minds, for our Lord Christ's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 65, 68, 732 and 734

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 65, Printer's No. 65, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' changing the provisions relating to bond required in awarding contracts."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 68, Printer's No. 68, entitled "An Act amending the act of August 9, 1955 (P. L.

323) entitled 'The County Code' changing the provisions relating to bond required in award contracts."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 732, Printer's No. 813, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceedings to attach such sales are brought within a prescribed period."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 734, Printer's No. 815, entitled "An Act providing for combining trusts for the benefit of employees of the same employer upon approval by the court having jurisdiction of any one of such trusts."

DAVID L. LAWRENCE.

NOMINATION BY THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations;

JUSTICE OF THE PEACE

September 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Reimer, R. D. 1, Bangor, Northampton County, for appointment as Justice of the Peace in and for the Township of Upper Mount Bethel, Northampton County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 578

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 21, 1959.
Resolved (if the Senate concur), That House Bill No. 578, Printer's No. 1573, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 824

He also presented communication from the House of Representatives informing the Senate that the House had concurred in resolution from the Senate as follows:

In the Senate, September 21, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; . . ." further providing for the taking of exceptions to rulings of the trial judge.

be recalled from the Governor for the purpose of amendment.

AMENDMENT TO HOUSE BILL No. 1305, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1305, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), empowering townships of the second class to levy, assess and collect certain additional taxes under the provisions of said act.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1528, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1528, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L.) No. 32, directing the issuance of special registration plates for suburban motor vehicles and prescribing the fee thereof.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

He also informed the Senate that the House has adopted

the Report of Committee of Conference on House Bill No. 315, entitled:

An Act amending the "Milk Sanitation Law," approved July 2, 1935 (P. L. 589) relieving the Secretary of Health and the Advisory Health Board of certain powers and duties; imposing powers and duties on the Secretary of Agriculture; establishing certain fees: * * *.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1023

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 1023, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323) changing the publication provisions relating to auditors' reports.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 114

He also returned to the Senate, Senate Bill No. 114, entitled:

A Joint Resolution proposing an amendment to article fourteen, section one of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to succeed themselves.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 125

He also returned to the Senate, Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 429

He also returned to the Senate, Senate Bill No. 429, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the making of loans on the security of real property by savings banks, and authorizing savings banks to invest to a limited extent in banker's acceptances and bills of exchange.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 598

He also returned to the Senate, Senate Bill No. 598, entitled:

A Joint Resolution proposing an amendment to article four, section three of the Constitution of the Commonwealth of Pennsylvania, making the governor eligible to succeed himself for one additional term.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 650

He also returned to the Senate, Senate Bill No. 650, entitled:

A Joint resolution proposing an amendment to article three, section sixteen of the Constitution of the Commonwealth of Pennsylvania, authorizing cash refunds without appropriation in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 684

He also returned to the Senate, Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943, (P. L. 49), entitled "An act authorizing individual co-fiduciaries, in certain cases, to consent to investments in common trust funds, and validating consents heretofore given," enlarging the investment powers of co-fiduciaries.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 713

He also returned to the Senate, Senate Bill No. 713, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," increasing the per diem payments and traveling allowance of delegates to conventions of county associations of townships officers.

with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 814

He also returned to the Senate, Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for making loans on the security bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 861

He also returned to the Senate, Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," by further regulating sabbatical leaves for employees of school districts.

with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1064

He also returned to the Senate, Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire; and further regulating pensions of reinstated members.

with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1084

He also returned to the Senate, Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392), entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public," requiring public notice of such meetings and prescribing penalties.

with the information the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House as follows:

House Bill No. 476, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties, township roads and schools.

Which was committed to the Committee on Rules.

House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles;" etc., permitting payment of time balances in amounts varying with the expected income of the buyer.

Which was committed to the Committee on Rules.

House Bill No. 1563, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), eliminating certain provisions relating to corporate fiduciaries.

Which was committed to the Committee on Rules.

House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), decreasing one tax, clarifying certain types of aircraft.

Which was committed to the Committee on Rules.

House Bill No. 2302, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating cash sales of milk on farms.

Which was committed to the Committee on Rules.

House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

Which was committed to the Committee on Rules.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 632, Printer's No. 1574;

House Bill No. 680, Printer's No. 176;
 House Bill No. 958, Printer's No. 1406;
 House Bill No. 997, Printer's No. 352;
 House Bill No. 1463, Printer's No. 871;
 House Bill No. 1572, Printer's No. 1299;
 House Bill No. 1701, Printer's No. 1294;
 House Bill No. 1797, Printer's No. 801;
 House Bill No. 1907, Printer's No. 1362;
 House Bill No. 2014, Printer's No. 1159;
 House Bill No. 2094, Printer's No. 1291; and
 House Bill No. 2203, Printer's No. 1332.

MEMBERS OF LEGISLATIVE COMMITTEE OF ADAMS
 COUNTY COUNCIL OF REPUBLICAN WOMEN
 PRESENTED TO SENATE

Mr. ELLIOTT. Mr. President, at this time. I should like to present to the President, and to the Members of the Senate, members of the Legislative Committee of the Adams County Council of Republican Women who are in the balcony, and who are here today to observe the Senate in Session.

The PRESIDENT. Thank you, Senator Elliott. Would the ladies from Adams County please rise?

The President of the Senate is happy to greet you and to welcome you to the Senate, on behalf of the Senators.

GUESTS FROM WESTMORELAND COUNTY
 PRESENTED TO SENATE

Mr. MAHADY. Mr. President, at this time I would like to introduce two individuals from Westmoreland County, men who are civic-minded and who, above and beyond the call of duty,—they are not owners of resorts or anything of that type—are co-operating in the development of Pennsylvania. They are officials of the beautiful Laurel Highlands area, which constitutes Fayette County, Somerset County and Westmoreland County.

God has been good to all of us in this Country, but in our natural resources in these three counties, particularly, we have a garden spot, a playground atop the wonderful Allegheny Mountain, historically important because it extends from the north from Fort Ligonier to the south, to Fort Necessity.

You will all recall the battle of Bushy Run, which was the high water mark of English speaking civilization in this Country, and the results of that battle determined whether or not the English speaking social aspects and objectives should be paramount in this Country. This happened in this great area.

We will not mention the fact that the Whiskey Rebellion also took place in this area, and we will pass it over lightly.

This is a beautiful garden spot and the development of it is essential to the further progress of Pennsylvania. It is with great pride that I introduce C. C. Mason, the President, and his wonderful assistant, Ed Pechan, the nephew of one of our distinguished colleagues in this Body. I might say this is a nonpartisan affair. We are very proud of their activities. Chip Mason is a Republican Committeeman, and you know which side of the fence Ed Pechan belongs on. May I introduce these two gentlemen? Will they please rise?

The PRESIDENT. The Senate is very happy to have you gentlemen with us.

MEMBERS OF BOY SCOUT TROOP NO. 107,
 ALLENTOWN, PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, I asked the Senate Librarian what the order of business was, and he said, "Introductions."

We have the pleasure of having here in the Senate today, a Scoutmaster and a group of young Boy Scouts from the First Presbyterian Church in the City of Allentown. I would like at this time to present Mr. Irving West, Tom West, Paul Uhler, Jay Walters and Charles MacArthur, and welcome them to the Senate of Pennsylvania.

The PRESIDENT. Will the Scoutmaster and Boy Scouts please stand?

The Senate is happy to welcome you from the beautiful Lehigh Valley.

I wonder whether we could prevail upon Senator Whalley to come forward to the dais and give us those words on his trip to Russia, for which we have been waiting for sometime?

Senator Whalley approached the rostrum.

The PRESIDENT. It gives me a great deal of pleasure to turn the microphone over to Senator Whalley at this time.

REMARKS BY SENATOR J. IRVING WHALLEY

Mr. WHALLEY. Mr. President, Members of the Senate, and Ladies and Gentlemen: A week ago yesterday, I enjoyed a birthday. At that particular time, Senator Berger made the statement that I would make some remarks on my trip to Russia. It so happens that Senator Pechan was on this trip with me, and I know that he could do much better than I can. Perhaps if I tell you the serious part of Russia, later we can prevail upon Senator Pechan to give you information on the social aspects and, especially, the night life.

In 1936, I was a passenger on the Zeppelin Hindenburg on a trip from Lakehurst, New Jersey, to Germany. I had the opportunity, at that time, to visit most all of the countries in Europe and get some idea as to what was going on.

In 1941, I had the pleasure of being a passenger on the Pan-American Airways' first travel flight across the Pacific, landing in Pearl Harbor just a few short weeks before December 7, 1941.

I was very much pleased, two years ago, when Senator Pechan called me and said that a trip was being arranged which would consist of approximately twelve State Legislators to travel 35,000 miles by plane, visiting thirty-five different countries, at our own expense, but under the direction of the United States Department of State. The group was to be met at each port by the American Embassy, where we were to be briefed on the economic and military life of the country that we were to visit.

On this trip, we were in Constantinople, as we know it, —Istanbul today—on October 4, 1957, when the newspapers came out with the statement that Russia had put its first Sputnik in the air. As you remember, this Sputnik was twenty-two inches in diameter, weighed 183 pounds, left the earth at a speed of 560 miles an hour, reached the height of approximately 600 miles and traveled 16,000 miles an hour in going around the world every one hour and thirty-five minutes.

Ten short days later, we arrived in Moscow with this

particular climate. I think we were amazed when we first landed at the airport to find jet planes in passenger service. All of us know that just about eight or nine months ago, our American airways put in the famous Boeing 707 for the first time, and just this week they intend to use the Jet DC-8. So we found immediately that the Russians were ahead of us in this particular phase.

We were turned over immediately to what is called the "In-tourist," which takes care of all visitors to Russia. We drove approximately twenty miles to Moscow, and were put in the National Hotel. The next morning, these people met us and took us immediately to what they called their industrial and agricultural exhibit. This covers 500 acres, consisting of forty-six industrial buildings and twenty agricultural buildings. Almost immediately we knew that Russia had practically everything in the way of equipment that we have. This is comparatively easy, because Russia does not have to go through the development or growing pains that the United States has had to go through. All they need to do is buy whatever equipment or machinery they need, take it apart and then develop it for themselves.

We were also surprised to find, of course, that in this particular exposition, which is something similar to our New York or Chicago or California World's Fair, each one of the fifteen countries of Russia had an industrial building. We visited the Siberian Building because we had been told time and again that Siberia is the jail house of Russia, and never were we more surprised to learn the true facts. We found that Siberia is 100 times as large as Pennsylvania, and it is one and one-half times the size of the United States. There will be 3,000,000 new people move into it by 1960. It has most of the natural and mineral resources of Russia. They have just built a brand new scientific city there, composed of ten large scientific buildings in which will work most of the scientists from all of Russia. Many brand new cities have been built in Siberia since World War II.

We were also told on this tour about the Communist Party. The Communist Party in Russia consists of 8,000,000 members. A person must do something outstanding before he is invited to apply for membership. Once membership is gained, then an individual is on the way to success because he has a part in the decisions from that time on.

Education, of course, was mentioned. We found that education in Russia, up until ten years ago, consisted of compulsory schooling no further than the fourth grade. Even as late as 1956, it was necessary to pay tuition in the last three of the ten grades of common school. We found that the Russian student goes to ten years of common school, as compared with our twelve years. We found that the Russian student goes to school six hours a day, six days a week, 213 days a year. We found that each student must take four years of biology, five years of chemistry, six years of physics, and ten years of mathematics. From the fourth and fifth grades on up, they get carpentering and all of the other trades, including metal and electronic shops. Everybody must also learn a language. At the end of ten grades, the students take a very stiff, competitive examination. If they are successful, they go on to higher education.

There are 213,000 schools in Russia and 1,800,000 teachers, as compared with 1,300,000 teachers here. 41,000 teachers in Russia teach nothing but English. There are 800 schools of higher learning and 3,500 technical schools.

We visited the University of Moscow, which stands 787 feet high. It is the eighth tallest building in the world, eighty stories. It has 15,000 rooms, 1,700 laboratories, 113 elevators, 2,400 teachers and 25,000 students. Five years are required for the regular college course and an additional three years for a doctor of philosophy degree.

Each teacher in the university is elected for a five year period, at the end of which time they must stand for re-election.

Sixty-five per cent of the university students take science, as compared with ten per cent of our students in the universities in our Country. In 1956, Russia graduated 70,000 engineers, as compared with our 30,000 engineers, and they graduate four times as many doctors. 94,000 Russian women are scientists and 400,000 Russian women are engineers.

The city of Moscow, of course, is the fifth largest city in the world. It is 800 years old, and it has 5,000,000 people. For the past ten or fifteen years, they have been completely re-building the city. Fifty and sixty feet streets are today becoming 200, 300 and 400 feet wide boulevards. They have hundreds of cranes, approximately eighty feet high, that apparently work twenty-four hours around the clock re-building the city.

Forty-five per cent of the Russian labor supply is women. When you get to these buildings, you are amazed to find that the women are doing the plastering, the carpentering, the truck driving, the taxi driving and so forth.

In the city is the Kremlin. The Kremlin is the same age as the city, 800 years old. It consists of twenty-five huge, yellow buildings with twenty high towers. It is surrounded by a red wall, enclosing seventy-two acres. It is quite an impressive view. The Kremlin was never open to the public as long as Mr. Stalin lived. One building has now been set up for a museum, which consists of practically all of the treasurers of the Czars.

The famous Red Square is in front of the Kremlin. It is 1,000 feet long and 900 feet wide. This is the place where they have their May Day and their November 7 parades to honor the revolution birthday, which was November 7, 1917. Many of us have watched parades on this square in the movies and on television. The building, where the officials usually stand, is a mausoleum in which are interred the remains of Mr. Lenin, since 1924, and Mr. Stalin, since 1953. They are in excellent preservation. They are approximately five feet apart, and they are visited four times a week by approximately 15,000 people who come from all over the Country.

The subway in Moscow is supposedly the most modern in the world. It has about 100 miles of track and forty-eight stations. Each station is a thing of beauty. They are built of marble and suggest, of course, the accomplishments of the Red Government.

I might also say that the escalators going to the stations are from 150 to 300 feet long; the longest that I have ever seen in my life. They claim that the subway, of course, would be a good place for people to be in case of war.

We visited the opera, as do most visitors to Russia, because it is an outstanding spectacle. One minute after the curtain went up, we were amazed to see Mr. Krushchev, Mr. Bulganin, Mr. Voroshilov and Mr. Mikoyan enter at our left—we were in the fifth row on the left-hand side—and occupy their box without any police guard of any

kind. They sat there for three solid hours. At the end of the performance, we were asked to stay in our seats for a few minutes while the official party left.

On the way back to the hotel that evening, we were amazed to find 500 Russian Red tanks going through the square, directly in front of our hotel which led onto Red Square. Of course, they were preparing for the big parade on November 7, 1957, which honored the fortieth anniversary of their revolution.

I might say that Mr. Khrushchev—of course, we have all learned a lot about him in the last week—is sixty-five years of age. He was born in 1894, in poverty, in the Ukraine. He was the son of a blacksmith. He was not in World War I. He joined the Communist Party one year after the revolution, in 1918. He married in 1922 and is the father of two sons and two daughters; one of the sons being killed in World War II. He re-married in 1938 to his present wife. In 1929, he was permitted to go to the Technical School in Moscow, at which Stalin's wife was also a student. Through her, he met Stalin, and his progress was very rapid from that time on. He participated in the 1935 to 1945 purges of the Party, in which he, personally, was responsible for the death, the exile or the imprisonment of 3,000,000 Ukrainians.

Mr. Khrushchev was also known as the "butcher of Budapest" in 1956. At Stalin's death, in 1953, Mr. Khrushchev was the number five man in the party, with Mr. Malenkov, Mr. Molotov, Mr. Beria and Mr. Bulganin being ahead of him. As you know, of course, he eliminated these four fellows, sent them into exile, and from that time has been in complete charge of the Party.

The Russian people themselves are very friendly. We meet quite a few of them in our coal fields in western Pennsylvania. They have an intense desire to get ahead, they are wonderful workers and they are very, very proud of their achievements.

We were briefed by NATO, when later we visited Paris. We were told by NATO that Russia could put 25,000,000 soldiers in the field within thirty days. They could put 20,000 jet planes, with 20,000 jet pilots, in the air. They could also provide 500 to 700 submarines. They advised us that at the start of World War II, Germany had forty-three submarines with which they almost sank fifty per cent of the U. S. shipping, and almost starved England into submission.

We were also told that Russia has an army of 4,100,000 soldiers, who work for from six to eight dollars a month, as compared to our 2,800,000 soldiers who get eighty-five dollars a month in this County. We were told that of every 100,000 soldiers in World War II from Russia, 85,000 were able to get into the front lines, combat lines, as compared to 15,000 of every 100,000 men from the United States.

We were told that in World War II, Russia suffered thirty-seven and one-half million casualties, with 12,000,000 dead. Seventy of their towns were completely destroyed, 25,000,000 people were made homeless and 30,000 factories were destroyed.

We were also told about the Russian five year plan, which started in 1928 and continues today. This plan was to promote industry, promote socialism within the Party and socialism in agriculture. The plan, from 1928 to 1932, was ninety-three per cent effective. Steel

production increased approximately sixty per cent. We were also told that Russia today owns all of the industry and all of the land. We were told that the United States consumed seventy-five per cent of its products over here, while Russia uses fifty per cent of its products to invest in new plants.

The Russian budget is \$560,000,000,000. We are not quite sure whether they use four rubles to the dollar or ten rubles to the dollar, but using ten rubles to the dollar, you would have a budget of \$56,000,000,000 last year. Of this amount, they have a temporary \$1,200,000,000 surplus.

Russia has 203,000 industrial plants and they are building 100,000 new ones. All of the money, of course, is turned over to the government and used from there.

In the sport situation, Russia is one of the greatest sports-minded countries in the world. They won the Olympics in 1956. They have built an Olympic Stadium, a beautiful stadium, if you please, in which they hope to hold the 1964 Olympics.

The farm situation is probably the worst of all in Russia. Fifty million people participate, but due to the fact that the farms are so far north, the farm production is not too good. They have 80,000 collective farms, averaging 13,000 acres each. They have 8,000 state farms, averaging 37,000 acres each. They have also opened up 87,000,000 acres in Siberia.

You may not like what Russia is doing, but Vice-President Nixon has said that Mr. Khrushchev holds more power than any individual in the history of the world, and by his own decision could create a war that could end civilization, as we know it.

For these reasons, it is well that we learn the facts. Thank you very much.

The PRESIDENT. Thank you very much, Senator Whalley. I know that I speak for the entire Senate when I say this was a most impressive presentation for everyone of us.

After that inspiring talk, we will go on to Reports from Committees.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Peter J. Swoboda, Frackville, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leroy

E. Douglas, 1513 Twenty-ninth Avenue, Altoona, Blair County, for appointment as Justice of the Peace in and for the Township of Logan, Blair County, to serve until the first Monday of January 1960, vice Cloyd W. Colyer, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate O. Albert Johnson, President, Hamlin Bank and Trust Company, Smethport, McKean County, for appointment as a member of the Banking Board, until September 1, 1965, and until his successor is duly appointed and qualified, vice William B. McFall, Pittsburgh, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
EDINBORO STATE TEACHERS' COLLEGE

August 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank S. Holowach, Meadville Road, Titusville, Crawford County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF INTERSTATE COMMISSION ON THE
POTOMAC RIVER BASIN FOR THE COMMONWEALTH
OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold B. Rudisill, 418 Baltimore Street, Hanover, York County, for appointment as a member of Interstate Commission on The Potomac River Basin for the Commonwealth of Pennsylvania, for the term of two years or until his successor is appointed.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
NORRISTOWN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clyde R. Flory, Sellersville, Bucks County, for appointment as a member of the Board of Trustees of Norristown State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney D. Kline, President, Berks County Trust Company, Reading, Berks County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Daniel H. Erdman, Quakertown, whose term expired.

DAVID L. LAWRENCE.

COMMUNICATION FROM THE GOVERNOR REPORTED
FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Bessie Kann Sack as a member of the Advisory Board on Problems of Older Workers.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF BESSIE KANN
SACK AS A MEMBER OF THE ADVISORY BOARD
ON PROBLEMS OF OLDER WORKERS

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 21, 1959, for the appointment of Bessie Kann Sack, Pittsburgh, Allegheny County, as a member of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until her successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATION BY THE GOVERNOR REPORTED
FROM COMMITTEE

Mr. FLEMING. Mr. President, I further report, from the Committee on Executive Nominations, the nomination of Bessie Kann Sack and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE ADVISORY BOARD ON PROBLEMS
OF OLDER WORKERS

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to hereby nominate for the advice and consent of the Senate the following for appointment as a member of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until her successor is appointed and qualified:

Bessie Kann Sack, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. FLEMING. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

REPORT FROM COMMITTEE

Mr. CONFAIR, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388), entitled as amended "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, officers, and other administrative agencies of this Commonwealth, and judicial review thereof; . . . providing for the appli-

cability of the act to regulations of the Department of Public Welfare, and removing from the coverage of the act, the State Welfare Commission and the State Board of Public Assistance.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, I am glad to report that the Committee on Judiciary General spent a busy, fruitful session this morning and, as a result thereof, I have a number of bills to report.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Judiciary General, reported as committed, House Bill No. 296, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," increasing the compensation of jurors.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 367, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, * * *" increasing the compensation of witnesses.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 734, entitled:

An Act relating to tort claims against the Commonwealth waiving in part the Commonwealth's immunity from liability for certain torts providing for settlement by the Attorney General of tort claims under one thousand dollars (\$1000) permitting actions against the Commonwealth on larger tort claims or on appeal from administrative process authorizing the payment of claims authorizing the Commonwealth to procure insurance against tort liability and prescribing certain other rules and limitations with regard to the administration of the act.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 777, entitled:

An Act amending the act of April 14, 1834 (P. L. 333) entitled "An act relative to the organization of the Courts of Justice" requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 867, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit, without the necessity of entering liens for such claims, and repealing existing laws," providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit, and extending the time within which actions of assumpsit may be brought to six years.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure; imposing certain

duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes, and imposing certain costs.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous, unsafe or structurally dangerous buildings or premises in cities of the first class; providing for the service or posting of notices relating to the work necessary to abate such nuisances; authorizing such cities of the first class, themselves or by contract, to abate such nuisances under certain conditions, providing for the filing of liens for the cost of such work, and imposing penalties.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1438, entitled:

An Act amending the "Fictitious Corporate Name Act," approved July 11, 1957 (P. L. 783), repealing the requirement that certificates of registration be cancelled after five years.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Mr. KELLER, from the Committee on State Government reported as committed, House Bill No. 203, entitled:

An Act amending the act of June thirty, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employees; . . ." imposing certain duties on the Governor and state agency or political subdivision involved.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 308, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the Pennsylvania State Police to charge a fee for accident investigation reports or portions thereof made available to interested persons.

He also, from the Committee on State Government, reported as committed, House Bill No. 707, entitled:

An Act amending the act of January 18, 1952 (P. L. 2159), entitled "An act creating the Pennsylvania Public Safety Commission as a commission; * * *," increasing the membership of the commission.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," regulating the fees to be charged and collected.

He also, from the Committee on State Government, reported as committed, Senate Bill 995, entitled:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police, and limiting the use of the moneys received from such contracts.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and

Supplies, with the approval of the Governor, to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore, County of Lackawanna, Pennsylvania for the use of the Department of Revenue, and making an appropriation.

He also, from the Committee on State Government, reported as committed, House Bill No. 1076, entitled:

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

He also, from the Committee on State Government, reported as committed, House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

He also, from the Committee on State Government, reported as committed, House Bill No. 1175, entitled:

An Act providing, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the Commonwealth and the government of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor; providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivision providing for special emergency judges; and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

He also, from the Committee on State Government, reported as committed, House Bill No. 1176, entitled:

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency.

He also, from the Committee on State Government, reported as committed, House Bill No. 1725, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey a tract of land situate in the Borough of Polk, Venango County.

He also, from the Committee on State Government, reported as committed, House Bill No. 1730, entitled:

An Act amending "The Administrative Code of 1929," approved April 1, 1929 (P. L. 177), changing the names of state penal and correctional institutions.

Mr. SHAFER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and Judges of the Supreme Court, the President Judge and judges of the Supreme Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 542, entitled:

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer, and quarter sessions of the peace and the municipal court of Philadelphia in counties having a population of 1,500,000 or over.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 727, entitled:

An Act to provide for one additional law judge of the court of common pleas in the seventh judicial district.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 832, entitled:

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees; and substituted trustees thereof, sureties of said trustees, the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," extending the provisions thereof to include political subdivisions.

Mr. RUTH, from the Committee on Rules, reported as committed, Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

He also, from the Committee on Rules, reported as committed, House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, * * *

He also, from the Committee on Rules, reported as committed, House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers;

giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making an appropriation.

He also from the Committee on Rules reported as committed, House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the term of the lien of certain municipal claims, the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to twenty years.

He also from the Committee on Rules reported as committed, House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax, . . . not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed, under certain terms and conditions.

He also from the Committee on Rules reported as committed, House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing that evidence of mental condition may be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

He also from the Committee on Rules reported as committed, House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers, conferring powers and imposing duties on the Department of Public Welfare.

He also from the Committee on Rules reported as committed, House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain persons.

He also from the Committee on Rules reported as committed, House Bill No. 2110, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute, Philadelphia, Pa.

He also from the Committee on Rules reported as amended, House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the sale of borough owned electric light plans and the effect thereof.

He also from the Committee on Rules reported as committed, House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council, 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

He also from the Committee on Rules reported as committed, House Bill No. 2321, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.134 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.5 acres of land, situate in Somerset Township, Somerset County.

BILLS INTRODUCED AND REFERRED

Messrs. MILLER and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 1195, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing provisions relating to voting by council.

Which was committed to the Committee on Rules.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1196, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," providing a mining exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, partnerships and companies.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. RIPP asked and obtained unanimous consent to address the Senate.

Mr. RIPP. Mr. President, I am about to offer a concurrent resolution relative to Senate Bill No. 835, Printer's No. 1368. This Senate Bill is being recalled from the Governor for the purpose of amendment.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 835 FROM THE GOVERNOR

Mr. RIPP offered the following resolution, which was read, considered and agreed to:

In the Senate, September 22, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 835, Printer's No. 1368, entitled "An act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, September 22, 1959.

Resolved, the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, September 28, 1958 at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, September 28, 1959, at THREE-THIRTY o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. TAYLOR,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF
LOCUST MOUNTAIN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Swoboda, Frackville, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed nad qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leroy E. Douglas, 1513 Twenty-ninth Avenue, Altoona, Blair County, for appointment as Justice of the Peace in and for the Township of Logan, Blair County, to serve until the first Monday of January 1960, vice Cloyd W. Colyer, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate O. Albert Johnson, President, Hamlin Bank and Trust Company, Smethport, McKean County, for appointment as a member of the Banking Board, until September 1, 1965, and until his successor is duly appointed and qualified, vice William B. McFall, Pittsburgh, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
EDINBORO STATE TEACHERS' COLLEGE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank S. Holowach, Meadville Road, Titusville, Crawford County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF INTERSTATE COMMISSION ON THE
POTOMAC RIVER BASIN FOR THE COMMON-
WEALTH OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold B. Rudisill, 418 Baltimore Street, Hanover, York County, for appointment as a member of Interstate Commission on The Potomac River Basin for the Commonwealth of Pennsylvania, for the term of two years or until his successor is appointed.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
NORRISTOWN STATE HOSPITAL

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clyde R. Flory, Sellersville, Bucks County, for appointment as a member of the Board of Trustees of Norristown State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BANKING BOARD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney D. Kline, President, Berks County Trust Company, Reading, Berks County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Daniel H. Erdman, Quarkertown, whose term expired.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. TAYLOR,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY
THE HOUSE TO HOUSE BILL No. 762, RECALLED
FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 762, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR
REVENUE BILLS OVER IN ORDER
TEMPORARILY

Mr. WEINER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order temporarily:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570;

House Bill No. 662, Printer's No. 1571;

Senate Bill No. 1105, Printer's No. 1426;

Senate Bill No. 1112, Printer's No. 1427; and

House Bill No. 2100, Printer's No. 1639.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 10, Printer's No. 10; and

Senate Bill No. 290, Printer's No. 314.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, entitled:

An Act declaring and adopting the poem "Pennsylvania" by Gerall G. Dovenspike a Pennsylvanian as the official poem of the Commonwealth.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, I want to test out whether a day is worth anything or not. It seems to me that this bill is a matter of culture more than it is government, and I am not ready to pass judgment on this particular literary effort.

Therefore, I would suggest, as my colleague suggested yesterday, that a panel or a jury, perhaps consisting of the head of the literature department of the college in which the author of this poem is located,—and perhaps the head of the department of the college where the sponsor is located might be the major part of such a jury—determine whether or not this particular bill merits its place as poem of Pennsylvania.

MOTION TO RECOMMIT BILL

Mr. HAYS. Therefore, Mr. President, I move that this bill be recommitted to the committee from which it came.

Mr. WEINER. Mr. President, I just want to add, for the sake of the record, that the rhythm—possibly it should be the iambic pentameter rather than what it is here—is perhaps what is causing the difficulty.

Mr. STIEFEL. Mr. President, I want to second the motion and say a few words in addition to what I said yesterday.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, this would be a most important vehicle which would lend itself to competition, not only among the poets of our State but also among the school population. We could run a contest, which would evoke the finest feelings of all Pennsylvanians.

I have nothing against this poet. He is a very fine poet. He hails from a fine county. This is not the first time that Senator Stevenson lent his support to him, and I bow before his wisdom. However, it may be that the Committee on Local Government would give attention to a contest, a State-wide contest, which would bring out the real jewels and the real sentiment of our population pertaining to Pennsylvania.

As a matter of fact, in my drawer I have a bill which I will introduce after the passage of this bill. Of course, it will pass, because we have to bow to the inevitable. I will put in another bill about another poem. Tomorrow, I will then introduce a bill containing Kipling's poem, "Philadelphia," and then we will choose the best in the house.

Mr. BERGER. Mr. President, it is so seldom that culture raises its beautiful head in the halls of this Senate. However, when we have an opportunity to vote upon a bill involving poetry, whether the meter precisely suits

the sensibilities of some of the Members or not, nevertheless, I think we should avail ourselves of it.

Consequently, Mr. President, I would oppose the motion and ask my colleagues to vote likewise.

And the question recurring,

Will the Senate agreed to the motion?

The roll was called and was as follows:

YEAS—12

Barr, Donolow, Hays,	Kalman, Lane, Mahady,	Mullin, Rooney, Ruth,	Seyler, Silver, Stiefel,
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NAYS—36

Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Ehrgood, Elliott, Flack,	Fleming, Harney, Keller, Kessler, Koprivier, Jr., Kromer, Madigan, Mallery, McCreesh,	McGinnis, McMenamin, Murray, Pechan, Propert, Ripp, Sarraf, Scott, Shafer,	Stevenson, Taylor, Van Sant, Wade, Wagner, Watkins, Weiner, Whalley, Wolfe,
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So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. SEYLER. Mr. President, I would advise the gentleman from Armstrong that I have read the poem. I do not know if he has, but I have read it, and I am loathe to vote for something I do not understand. There are several places where I am having difficulty in understanding just what this says. I would like the Senator to advise me.

My first difficulty, Mr. President, is on line 2 of the bill, which is line 2 of the poem. It says:

"Where cavalcades of effigies unbar

"Her pioneers of history parading hand in hand"

I would like to ask the Senator, what does "cavalcades of effigies" refer to?

The PRESIDENT. Would the Senator care to answer that question?

Mr. PECHAN. Mr. President, I am very happy for Senator Seyler's sake that none of his pupils are in this hall today, because he is admitting that he does not understand culture.

I want to tell you, Mr. President, if I may, that when I was in college, I took Greek. In fact, Greek took me. I took it for about two weeks and I had to give it up. I want to tell you about how I learned the Greek alphabet. Truthfully, I learned it in a restaurant from a Greek. It went something like this: A meant "apple dumpling"; B, "battered toast"; C, "See's the man got enough water"; D, Don't got"; E, "epicot"; F—

Mr. LANE. Mr. President, point of order—

The PRESIDENT. I do not see how you have the strength to interrupt a dissertation like this, but I must recognize that you have a point of order.

Mr. LANE. Mr. President, the gentleman has taken the Fifth Amendment via the Panama Canal.

Mr. PECHAN. Senator Seyler, do you want we to go through this Greek alphabet? It is culture.

Mr. SEYLER. Mr. President, I thank the gentleman for his very responsive answer, but somehow I fail to understand.

The reason I asked about this is that I understand what a "cavalcade" is. It is a procession, a marching procession. "Effigies," as I understand it, are statues. So some statues are marching and then they are unbarring "Her pioneers of history . . ." All I would like the Senator to tell me is what "effigies" this refers to. I just do not understand the significance, and I am loathe to vote for legislation that I do not understand.

If the gentleman has answered me on that, and I have not understood it, I concede that I am perhaps a bit obtuse and I will pass on to my second problem. That is in line 6 of the bill, or line 5 of the poem. This little gem says:

"A thousand cities made from one . . ."

Can the gentleman tell me what that has reference to, and what connection this has with Pennsylvania?

Mr. PECHAN. Mr. President, that is poetic license.

Mr. SEYLER. Mr. President, I thank the gentleman again for his responsive answer, which again I do not understand.

Mr. President, I have no objection to adopting a poem for the Commonwealth, but it seems to me that the first five lines of the poem are not meaningful. At least, I do not understand them. I am not a poet, but it seems to me that poetry, like any other form of art, should communicate.

The PRESIDENT. Could we, perhaps, have your interpretation of the first five lines?

Mr. SEYLER. I have no interpretation. I contend, Mr. President, that it lacks meaning. It talks about "cavalcades of effigies"; it talks about "A thousand cities made from one"; and I do not recognize either of these as phenomena which occur in the Commonwealth of Pennsylvania. I am quite serious that if we should adopt a poem, it should be one which is meaningful.

Perhaps the gentleman will be able to explain it better than he has. However, if he has no better explanation, it is my opinion that we should wait to adopt a poem for Pennsylvania until such time as we have a poem which is meaningful and which a cultured gentleman like the Senator can at least explain in language that can be understood by an uncultured, uncouth person like myself.

Therefore, Mr. President, for this reason, I am inclined to vote against the bill.

Mr. PECHAN. I do not presume, Mr. President, anything that I may say will change Senator Seyler's mind. I am not sure but I believe that Mr. Dovenspike, who wrote this poem, is a very fine newspaperman and of the Democratic faith.

The Senator talks about "cavalcades of effigies." We have them in Armstrong County after every election. We, in the county, are thinking about the Democrats whom we defeat, and we have a "cavalcade of effigies." They hang them in effigy. However, that is not what Mr. Dovenspike had in mind.

I am going to arrange, Senator Seyler, for you to meet this distinguished gentleman. He comes from Clarion County. He is a very fine gentleman. He has for years tried to get this poem through the halls of the Legislature, and I am very happy for him today because I am

going to see to it that he explains some of this language to you in a cultural tone, in the culture which he possesses, which I am sure will rub off on you.

Mr. WEINER. Mr. President. I was going to suggest, after this explanation that the gentleman from Armstrong gave us, that maybe we ought to send this bill to the Appropriations Committee to get enough money together so we can send Senator Pechan up and down the State to explain the poem to the people who read it, and who may not have the ability to understand the words or verbiage we have in it without him. I think he not only could explain it, but he could make it somewhat humorous so that they could even enjoy it.

I think we should give that serious consideration, along with the other words and verbiage that appears in this poem.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. TAYLOR. Mr. President, we would like to know, on this side, how Senator Pechan voted.

The PRESIDENT. Senator Pechan is recorded as having voted "aye."

Mr. PECHAN. Mr. President, had I voted "no," it would have been under a misapprehension.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Fleming,	McGinnis,	Stevenson,
Berger,	Harney,	McMenamin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Sarrafi,	Watkins,
Ehrgood,	Madigan,	Scott,	Whalley,
Elliott,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,		

NAYS—11

Donolow,	Mahady,	Ruth,	Stiefel,
Hays,	Mullin,	Seyler,	Weiner,
Kalman,	Rooney,	Silvert,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERSONAL PRIVILEGE

Mr. MAHADY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state it.

Mr. MAHADY. Mr. President, I would like to inquire if that recorded vote shows eleven uncultured individuals?

BILL INTRODUCED AND REFERRED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 1197, entitled:

An Act declaring and adopting the poem "Pennsylvania" by S. Beryl Lush, a Pennsylvanian and Philadelphian as the official poem of Pennsylvania.

Which was committed to the Committee on Rules.

Mr. BERGER. Mr. President, I recall that when Senate Bill No. 341 was introduced, the gentleman read the poem as part of the report. I think it would be no more than right that Senator Stiefel be permitted to read the poem contained in his bill.

The PRESIDENT. Senator Stiefel, would you accede to the request?

Mr. STIEFEL. Mr. President, I will read it when it is reported from the Committee on Rules.

Mr. BERGER. Unfortunately, Mr. President, the gentleman is not a member of the Committee on Rules, and the opportunity will then be lost to him.

The PRESIDENT. This is, indeed, a misfortune.

Mr. STIEFEL. Mr. President, tomorrow I am going to offer another bill, which will propose that the famous poem by Kipling, entitled "Philadelphia," which, in my opinion, is the acme of perfection, should be adopted as the official poem of Pennsylvania. Even if Kipling was not a Pennsylvanian, Kipling was one of the outstanding literary figures of the English-speaking world, and he belongs to Pennsylvania just as much as he belonged to England and to India.

The PRESIDENT. He certainly recognized the merits of Pennsylvania in his poem. I agree with you on that score.

REPORT FROM COMMITTEE

Mr. WEINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE RESOLUTION, SERIAL No. 57, REPORTED FROM COMMITTEE

Mr. WEINER, from the Committee on Rules, to which was referred resolution offered by Messrs. STIEFEL and BARR, an August 31, 1959, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY ESTABLISHMENT OF A COLLEGE OF FOOD TECHNOLOGY IN PENNSYLVANIA

In the Senate, August 31, 1959.

The study of food, the abundance or paucity thereof in certain parts of the globe, the curse of its waste and the blessings of its preservation, its nutritional values, the evolution and invention of new products—all offer wider horizons and new challenging frontiers of research and production.

Food engineering is gradually forging to the fore to occupy a position of eminence along mankind's benefactors such as chemical, mechanical, electrical, civil and industrial engineering. Food engineering is the food equivalent of chemical engineering and represents a blend of mechanical engineering and the biological sciences.

Then there is now coming of age food technology! Tidal waves of technical progress are running through the food industry swept along by fast-paces improvement in operations and processes—these involve investigation, development and application of cold sterilization, ultrasonics and a host of new in-stream quality control techniques. The coming attainments of food-technology are fascinating. Thus ultrasonic waves may be utilized to mix, homogenize, dispense, extract, precipitate, sterilize or measure food ingredients and products (ultrasonic generators already are used in breweries abroad to obtain greater extraction from

hops in brew bottles). To control quality in process, developments are going beyond instruments which regulate such variables, as temperature, pressure, flow and level. Acidity, density and crystal state are under automatic control. And even much subtle factors as color, texture, blend—even odor and taste—will be robotised.

In several European countries, notably in Germany, Food Engineering and Food Technology have been recognized to such an extent that they have been lifted to the levels of college education and special Food Colleges created therein for that purpose.

As the arsenal of American Democracy and one of the breadbaskets of the free world, Pennsylvania is the locus classicus for the establishment in the United States of the first College of Food Technology. We in Pennsylvania are singularly blessed with the outstanding leader in the field of food technology, H. J. Heinz II, the towering Pittsburgh industrialist in whom knowledge, dynamic leadership and vision have combined to form the blend of a creative genius par-excellence.

By combining the research facilities of the Joint State Government Commission with the leadership and experience of H. J. Heinz II, the General Assembly of Pennsylvania is in a position to become the beneficiary of an adequate blueprint for the establishment of a College for Food Technology in Pennsylvania at the opening of its next session.

At the same time the unexcelled resources and facilities of Pennsylvania State University could contribute immensely to the success of the study both through the participation of its experts and possibly as the locale of the new institution.

Be it Therefore Resolved, That the Joint State Government Commission of Pennsylvania be and it is hereby authorized and directed to form a Committee to undertake a study of plans and means for the establishment of a College of Food Technology in Pennsylvania, and be it further

Resolved, That the Joint State Government Commission is hereby authorized to invite H. J. Heinz II to act both as a member and advisor of the committee, and be it further

Resolved, That the Joint State Government Commission invite experts in the field of food technology to join its aforesaid committee both as members and advisors.

The PRESIDENT. The resolution will appear on tomorrow's Calendar.

THIRD READING CALENDAR

BILL OVER IN ORDER TEMPORARILY

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1655, on third reading, go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER TEMPORARILY

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 1046, Printer's No. 1444, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1423, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1071, Printer's No. 1676, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1861, Printer's No. 1054, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I am not objecting to this bill going over in its order. However, I would like to take a moment to point out to the Senate that this is absolutely essential legislation.

I have a letter, dated September 15, 1959. The subject of this letter is "Crib Cases on the Waiting List," and it comes from the Department of Public Welfare.

This hospital, when the proper action is taken, will give the department 600 more places for these crib cases. The principal problem, as all of us are quite aware, is that these youngsters get older and the families cannot care for them because they are too large for anyone to

carry or move around. They are also unable to take care of themselves. There is also the additional problem of other children in the same household, and this is causing difficulty for people who cannot afford to handle this situation.

If there is some particular problem with this legislation, I would be very happy to discuss it with anyone, and perhaps we can take it up with the Department to clear up the problem.

I would also like to point out to the gentleman of this Body that this bill passed the House with only six votes against it. The reason for the six votes was because of a peculiar situation that they felt existed in some area, which is not really the fact at all.

I just do not feel that we should hold up this type of legislation when it involves people, sick people and people who are causing other problems for us which we cannot possibly solve.

I respectfully ask that the gentleman take this up in their Caucus. If they could possibly work on this legislation today, it would be very helpful.

Mr. BERGER. Mr. President, we understand the problem involved in this bill, but there are also certain questions which have arisen in connection with it as to the purported savings that will accrue to the Commonwealth or cost to the Commonwealth, one or the other. There seems to be some question as to which will accrue. Until those things are straightened out, I do not believe we should move the bill and, I, therefore, repeat my request that it go over in its order.

Mr. WEINER. Mr. President, I just want to say one other thing. It is not my purpose to debate this bill at this time. There are 1,379 crib cases now on the waiting list. I have a tabulation here from the department, county by county. Many of these youngsters come from both the hard and soft coal areas. The principal number are from these areas and they would benefit by having this hospital available to them.

As we all know, tuberculosis in our State has gone down with the recent findings in the field of medicine, and the pressing problem here is taking care of these youngsters if we can possibly do it.

Mr. ELLIOTT. Mr. President, may I say a word to my friend, the gentleman from Philadelphia, at this time, please?

The PRESIDENT. You may.

Mr. ELLIOTT. Mr. President, I would like to call to Senator Weiner's attention that I do not want the onus of asking that this bill go over to be placed upon Senator Berger.

Mr. President, I have asked that this bill go over because, Senator Weiner, there is a problem involved here with the mentally retarded. There is also the question that perhaps we might even find more beds for the mentally retarded than the 600 you mentioned. I am aware of the 600 possible beds that we can find at the Miner State Hospital, at Hamburg. We are seeking to find, if we can, even more beds than those.

Of course, this is a problem between two departments, the Health and the Public Welfare Departments. I have been working diligently with the heads of each of these departments, as I think they will attest to, in trying to work out this particular situation to the best advantage of all of the people involved. We have sick people here

involved, both mentally sick and physically sick, and our problem is to try to work it out to the very best advantage of everyone. I met with them as late as this morning. I am sure, Senator Weiner and Mr. President, that we will have a solution at a very early date and that we will not ask that this bill go over any longer than is absolutely necessary.

The only reason that it is being requested to go over today, I reiterate, is to try and find, if possible, even more beds for these mentally retarded about whom you are concerned and about whom we are concerned.

Mr. WEINER. Mr. President, I want to thank the gentleman for reporting to us on the progress of this legislation.

As I stated earlier, I have no objection to this bill going over. I just wanted to bring to the attention of the Senate the urgency of this matter, and this urgency has been impressed upon me by the communication I received from the Department of Public Welfare. I did not want any of us to be criticized because perhaps we are not moving as quickly as we could on something as important as this.

I believe that Senator Eliott has adequately answered the question on the problem. I think all of us will be very happy to join with him if we can find more space for the people who are sick in this Commonwealth.

Mr. ELLIOTT. Mr. President, I would like to thank the gentleman, too, for pointing out to the rest of the Senate the urgency of this problem. I merely made my statement so that he would recognize that we also were aware of it, and that, actually although there is this little difference that separates us, we are all working in the same direction. I do hope that within twenty-four hours, or less, we can come to some equitable solution.

The PRESIDENT. There being no objection, the bill will go over in its order, on third reading.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1897, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Broker License Act of 1929" further regulating deposits and disbursements of funds by brokers.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

REMAINING BILLS ON THIRD READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills, on today's Third Reading Calendar, go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 290 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 4 of today's Third Reading Calendar, Senate Bill No. 290, Printer's No. 314, which previously went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 290, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, on behalf of Senator Stevenson and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 1 to 3 of Title, by striking out all of said lines and inserting: "Requiring the approval by the governing bodies of political subdivisions of projects, plans, rates and charges of Authorities created by such political subdivisions"; Amend Sec. 1, page 1, lines 1 and 2, by striking out "political subdivision shall enter into or execute any contract with any"; Amend Sec. 1, page 1, line 4, by striking out "which" (1) is a long term contract and"; Amend Sec. 1, page 2, lines 1 to 7, by striking out all of lines 1 to 6 and "enter into such contract is" in line 7 and inserting: "shall enter into any new project, nor shall it proceed with any new plans or change of plans, or impose any fees, rates or assessments to be fixed or made in connection therewith until the same are"; Amend Sec. 1, page 2, line 7, by striking out "electors" and inserting: "governing body"; Amend Sec. 1, page 2, line 8, by inserting after "subdivision:" "or political subdivisions which created the Authority"; Amend Sec. 1, page 2, lines 8 and 9, by striking out "the electors as hereinafter provided" and inserting: "at least three-fifths of each such governing body"; Amend Sec. 2, page 2, lines 10 to 19; page 3, lines 1 to 5 by striking out all of said lines; Amend Sec. 3, page 3, line 6, by striking out "3" and inserting: "2"; Amend Sec. 3, page 3, line 7, by striking out "a referendum" and inserting: "approval of

such governing bodies"; Amend Sec. 3, page 3, line 7, by striking out "(1)"; Amend Sec. 3, page 3, line 9, by striking out "authority" and inserting: "Authority"; Amend Sec. 3, page 3, lines 10 to 12, by striking out "or (2) deter a political subdivision" in line 10 and all of lines 11 and 12; Amend Sec. 4, page 3, line 13, by striking out "4" and inserting: "3".

On the question,

Will the Senate agree to the amendments?

Mr. WADE. Mr. President, these amendments, if adopted, would require approval by the governing bodies of political subdivisions of projects, plans, rates and charges of authorities created by such political subdivisions.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. BERGER. Mr. President, I request a one-half hour recess of the Senate for the purpose of holding a Republican Caucus and a Democratic Caucus, to be held in the respective Caucus Rooms.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one-half hour recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

SENATE BILL No. 689 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 689, entitled:

An Act reenacting, amending and revising the act of April 6, 1953 (P. L. 3), entitled "Uniform Commercial Code."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1015

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1015, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prohibiting the use of the extinguishers containing carbon tetrachloride in school buildings and school buses, and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1297

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth; creating Port authorities to function in counties of the second class***," granting Port Authorities the exclusive right to engage in the business of owning, operating and maintaining a transportation system for the transportation of persons in counties of the second class ***.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1992

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the vehicle Code," authorizing the operation of a vehicle having two others attached thereto in certain cases.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 835

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, September 22, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, September 22, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, September 28, 1959 at TWO o'clock P.M., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Monday, September 28, 1959, at THREE-THIRTY o'clock P.M., E.S.T.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1566

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1566, entitled:

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), conferring exclusive jurisdiction of control of decedent's burial on the orphans court, and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1566

Mr. BERGER. Mr. President, I move that the Senate do recede from its amendments non-concurred in by the House to the foregoing bill.

Mr. FLEMING. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I introduced these amendments in which the House does not want to concur. According to my amendments, Philadelphia County would have been exempted from passing a substantial part of the jurisdiction, which is now vested in the Court of Common Pleas, to the Orphans' Court. In Philadelphia, we have seven Courts of Common Pleas, with three judges in each court, which gives us twenty-one judges who are always available, and at any time we can get their co-operation on pressing matters like burials and so on.

Please understand, I am not saying anything derogatory about the Orphans' Court. We have the finest judges. Philadelphia just has a peculiar situation.

Now that the House does not want to concur in the amendments, I am appealing to my colleagues to support me in casting their votes against this recession, which has been moved by Senator Berger.

Mr. BARR. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

The roll was called and was as follows:

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—22

Barr,	Kalman,	McMenamin,	Ruth,
Camel,	Lane,	Miller,	Sarrafi,
DiSilvestro,	Mahady,	Mullin,	Seyler,
Donolow,	McCreesh,	Murray,	Silver,
Hays,	McGinnis,	Ripp,	Stiefel,
		Rooney,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 114 Printer's No. 123;

Senate Bill No. 125, Printer's No. 134;
 Senate Bill No. 429, Printer's No. 744;
 Senate Bill No. 598, Printer's No. 645;
 Senate Bill No. 650, Printer's No. 704;
 Senate Bill No. 684, Printer's No. 745;
 Senate Bill No. 713, Printer's No. 792;
 Senate Bill No. 814, Printer's No. 1175;
 Senate Bill No. 861, Printer's No. 1000;
 Senate Bill No. 1064, Printer's No. 1262; and
 Senate Bill No. 1084, Printer's No. 1343.

HOUSE BILL No. 660 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 2 of today's Third Reading Calendar, House Bill No. 660, Printer's No. 1569, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 660

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which this bill just passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

AMENDMENTS OFFERED

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last two lines of Title by striking out all of said lines; Amend Sec. 1 (Sec. 23), page 4, line

13 by inserting a bracket before "December"; Amend Sec. 1 (Sec. 23), page 5, line 3 by striking out the brackets before and after "and"; Amend Sec. 1 (Sec. 23), page 5, lines 4 to 6 by striking out "December thirty-first one thousand nine" in line 4, all of line 5 and "thousand nine hundred sixty" in line 6; Amend Sec. 1 (Sec. 23), page 5, line 6 by inserting a bracket after "mills" and inserting immediately thereafter: "and for each year"; Amend Sec. 1 (Sec. 23), page 6, line 6 by striking out the brackets before and after "February" and striking out "April"; Amend Sec. 1 (Sec. 23), page 7, line 17 by striking out the brackets before and after "and"; Amend Sec. 1 (Sec. 23), page 7, line 19; page 8, line 1 by striking out "except that gross receipts from other" in line 19, page 7 and all of line 1, page 8; Amend Sec. 1 (Sec. 23), page 8, line 4 by striking out the brackets before and after "of" and striking out "that"; Amend Sec. 1 (Sec. 23), page 8, line 4 by striking out the brackets before and after "as"; Amend Sec. 1 (Sec. 23), page 8, line 5 by striking out the brackets before and after "outside" and striking out "inside"; Amend Sec. 1 (Sec. 23), page 8, line 6 by striking out "owning or"; Amend Sec. 1 (Sec. 23), page 8, lines 6 and 7 by striking out "the public utility or furnishing".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, speaking on the amendments just offered by Senator Weiner, ordinarily we would have no objection to such amendments. It appears that their result would not be consistent with the legislative intent as expressed by the House Democratic Leadership when this bill was passed. In effect, the amendments suggested would remove the Philadelphia Gas Works and the revenues therefrom from the tax, which is a gross receipts tax on the gas utilities.

Mr. President, in the Legislative Journal of the House, of June 30, 1959, on this subject, referring to page 2106, the debate between Mr. Tompkins and Mr. McCann, the Majority Floor Leader, was as follows, in part:

"Mr. TOMPKINS. Is it the legislative intent that this bill apply to municipally-owned gas companies?"

"Mr. McCANN. It is not the legislative intent that it apply to municipally-owned gas companies operated by a municipality."

"Mr. TOMPKINS. Is it the legislative intent that this bill apply to the Philadelphia Gas Company?"

"Mr. McCANN. If the Philadelphia Gas Company is in the same category as all other gas companies operating within the Commonwealth of Pennsylvania, it would apply. The question in Philadelphia is a question that only the courts can decide. The city of Philadelphia owns the gas system. The city of Philadelphia does not operate the gas system of the city of Philadelphia. The city of Philadelphia has a contract lease with a gas company, which operates the city-owned gas system."

"Mr. TOMPKINS. Is it the legislative intent that this tax apply to the gross receipts of that gas company?"

"Mr. McCANN. It is the legislative intent that this tax applies to the revenue yielded by the operating company that operates the gas system in the city of Philadelphia. On the Court decision regarding the lease that is in existence or the changing of the lease in some way in which the courts would rule, I cannot tell or foresee what they would do. As the bill is now written, the revenue estimated yield includes Philadelphia."

"Mr. TOMPKINS. Well, Mr. Speaker, do I take it that his answer is, yes?"

"Mr. McCANN. Mr. Speaker, my answer would certainly be, yes. The gentleman from Cameron knows quite well that I am not going to forecast the decision of the court. I believe I read the same news story concerning the solicitor of the city of Philadelphia.

"Mr. TOMPKINS. Mr. Speaker, I am not asking the Majority Leader to tell the courts what to do, or to make a decision for them. I am merely asking him to put on record a decision of legislative intent with reference to the gross receipts from this gas company.

"Mr. McCANN. And I have done that, and the answer is yes.

"Mr. TOMPKINS. Thank you."

Mr. President, that, briefly, is a statement of the legislative intent concerning the operation of this tax in regard to the Philadelphia Gas Company. The bill, in its present form, would include the Philadelphia Gas Company in accordance with the intent expressed by the Majority Leader in the House of Representatives. Therefore, Mr. President, I request my colleagues to vote against these amendments.

Mr. SILVERT. Mr. President, I listened to the reading of the Journal of the House where Mr. McCann made the statement that Philadelphia does not operate its gas works, but leases it. Mr. McCann, of course, is not a resident of Philadelphia.

I want to call the attention of this Body to the fact that the statement he made was erroneous. Philadelphia not only owns the gas works, but also operates it. There is no lease between Philadelphia and the U. G. I. All Philadelphia does, in its operation, is to engage the U. G. I. as its agent and pays it a fee for services. Therefore, Mr. President, the statement made by Mr. McCann was unintentionally erroneous. I feel that, inasmuch as we have exempted public utilities owned by municipalities, definitely this is a discrimination against the city of Philadelphia. I feel that the Republican Majority should reconsider its action in this matter and should vote in favor of these amendments.

Mr. WEINER. Mr. President, in order for us to vote intelligently on this matter,—unfortunately, I say from my point of view, most of these gentlemen do not come from Philadelphia—I would like to acquaint you with some of the problems that we have had, and perhaps you will have a better understanding of this entire picture and why we have taken the position that we have taken.

It is not our desire to exempt the people of Philadelphia from a tax that everybody else is going to pay, nor is it our desire to get any particular privileges for the people of Philadelphia that everyone else is not going to be subject to or enjoy, if that be the case.

Let me take you back to the year 1890, through the year 1907. The gas works was then being run by a gentleman known as Mr. Matt Quay. I think the name is rather familiar to people who are in politics. He was sometimes known as Matt "Shake the Tree" Quay. This gentleman plundered the gas works and it was scandal-ridden. In 1907, among other things that happened, it was taken out of his control and out of his hands.

Beginning at that time, the city turned it over to an operating company and this company has produced revenue for the city of Philadelphia and has also provided

gas at a rate lower than anywhere else along the Eastern seaboard. Now bear in mind that Philadelphia is a seaport city. There is the problem of residual oil which is constantly facing the members of that community. All of you, who have had some traffic or at some time have had contact with builders, realize that they are anxious to sell a product, much the same as automobile dealers or people who sell appliances, so that when they build a house, they try to do it as cheaply as they possibly can in order that they can get the most profit out of it. That is not in criticism of them; that is merely stating a fact. On that basis, they have been putting gas heat into homes, due to the low rate. That has been one of the selling points. They have put in other appliances that operate by gas.

As you might well realize, the electric company in the city of Philadelphia has been competing with them at a very terrific rate in the sense that the Conowingo Dam, which is not too far from Philadelphia, also brings electricity into that same area, so that there have been appliances operated by electricity put in to the homes. However, the heating of homes is still done by oil. This oil is located in Marcus Hook, which happens to be very close to Senator Watkins' area, and which can be sold at a cheaper rate if they can get the volume into the city. This battle, or tug-of-war, has been going on for some time.

You gentlemen who do not come from a seaport area or a related area do not have that problem at all and are not concerned with it.

In 1926, the Legislature tried to put a tax on municipally owned gas works. At that time, there may have been one or two other gas works other than the city of Philadelphia. At this time, there is one in the city of Philadelphia and one in the borough of Chambersburg. When they looked into this problem, they realized how they would be penalizing the cities that had taken the trouble to clear up a bad situation, and they were using this means to provide additional revenue and they were also trying to give the people living in that community a cheap rate way of heating their homes, for cooking and other necessities of life.

At that time, they reiterated and stated very clearly that they were not interested in taxing this type of facility. They were not going to do it, and they did not do it.

Again, in 1935, they had this very same problem. Therefore, the problem we are facing is not new, nor does it begin here with us. They re-affirmed again the same position that they were not going to take care of the gas works and include the Philadelphia situation in them.

Why, you might ask, would they do that? For the following reason: Most gas utilities have an opportunity to go before the P. U. C. if they need an increase in rates. I think I am not revealing any confidences here because it is a matter of public record that most of your utilities today are before the P. U. C. asking for an increase, and the day we pass this bill, this will be one more reason for them to get this increase.

Unfortunately, in the city of Philadelphia, our people do not come before the P. U. C. because this does not come under that category. They have no one to go to and ask for an increase. They are fixed on the rate that they get. The operating management is paid at a fixed rate, so that they have nowhere to go. You might say in answer to that, "Well, they could raise the rate very easily

if they do not have to go before the P. U. C." That is also true. However, by the same token, they would be losing consumers because people will not remain where they have to pay a higher rate when they can get the very same product at a lower rate, and there is competition in the area.

Now if you take this revenue away from the city of Philadelphia,—and I have been reading in the newspaper that you have cut the budget; I do not know where, but I would like to know where—I am just wondering whether you have included in your budget an amount to make up for this money that you are taking away from the city of Philadelphia, and how they are going to get along with their projects and programs, most of which are projected over a number of years. Where are they going to get this additional revenue that they have been counting on in this area to put into the program that they now have?

As a matter of fact, this matter became of such import in Philadelphia that Councilman Wilbur Hamilton, who happens also to be the Republican City Chairman, issued a statement on August 25, 1959. I think he paid a visit to this Senate and spoke to the gentlemen on your side, as well as some of the people over here. The release which he handed out came from the Republican Central Campaign Committee and it stated that he came out strongly against this proposal in the Pennsylvania State Senate to tax the Philadelphia Gas Works receipts. He went on at length, saying and I read from this release:

"This proposal discriminates against the city of Philadelphia and the gas customers.

"If this bill should be enacted, the additional cost to the Gas Company would be passed along to the consumers. It is estimated the cost would be approximately \$1,000,000.

"There are a number of municipally-owned electric and other utilities in Pennsylvania, but only Philadelphia and Chambersburg have city-owned gas plants."

"Hamilton pointed out also that if the proposal is approved, it would amount to a tax on the City of Philadelphia by the Commonwealth.

"It is unusual to say the least," he added, "for a superior governmental authority to impose a tax on a state or local government.

"I urge members of both Houses of the Legislature, and of both Parties, to reject this discriminatory tax on Philadelphia and the consumers of Philadelphia."

If Mr. Hamilton were a Democratic City Chairman or if he were a Democratic leader taking this position, you might well say this is partisan politics. However, this is not the case. This is a Republican Councilman, who happens to be the Republican City Chairman and who also happens to be running for re-election. He could have stayed out of this argument, had he seen fit, or if he is using it for political fodder, he certainly is not using it against the opposite party. I think the position that he has taken is a sound one. To say that I do not often agree with Republican leaders, I think, would be a fair statement. However, when he is correct in saying something that is fair and not only happens to be in line with a position that I have taken, I think it is a correct position.

This is strictly a political maneuver. I think it is an erroneous act on your part. I think the Governor will not sign this bill and I do not think the House Mem-

bers will concur in it. I am sure this information I am giving you is nothing that you do not know or you are not aware of, because I do not think you are that naive, politically or otherwise, not to understand the mechanics of how this thing will work.

If the purpose is to punish the city of Philadelphia, that is one thing. If the purpose is to treat this matter fairly, that is another. I do not think you are being fair in acting in this manner.

I will give you one more reason. In all of the sales taxes that we have passed,—and I think Senator Kessler is aware of this more than anyone else here because he has taken time to study these measures—we have exempted municipally owned utilities, whether they be telephone companies, electric companies or any other type of facility. Now, lo and behold, we come down to the gas works and we immediately put the city of Philadelphia in it. I can only come to one conclusion, that the purpose is to punish the city of Philadelphia because it happens to be of a different political faith than the gentlemen sitting on the other side who put these amendments in the bill.

If you could demonstrate to me the exact reason for doing this or changing the bill from the purport that it had or originally, I would be very willing to hear it, if it is a logical argument.

The way the bill was originally written, and the way it came to this Senate, left in doubt whether the city of Philadelphia was or was not in it. I think that is the problem and one which should have been taken up by the courts and settled there. You saw fit not to do this. As the bill originally came out of committee, it came out with this amendment in it and that was then changed because I think you saw the fairness in doing that. Later on, we got into a political atmosphere, and I think it was changed for that reason.

If you want to demonstrate your fairness, not only to the city of Philadelphia but the people who live therein, many of whom are Republicans, I think you will vote for these amendments and restore the bill to its original purpose, and you will not try to punish the people of Philadelphia because they do not happen to have chosen an administration that happens to be in the same light or are as you are in.

Mr. President, I ask for a roll call.

Mr. BARR. Mr. President, I second the request for a roll call.

Mr. KESSLER. Mr. President, last fall, the Governor appointed a Tax Study Committee to make some recommendations to the Administration and to the General Assembly, I believe, as to means of raising the \$400,000,000 of revenue which he indicated was required. A part of that Committee's recommendation was that the gas companies be brought under the utilities' gross receipts tax. Such a bill appeared and, in a discussion in the House which Senate Berger just read, it was evident that the intention of the House was that the Philadelphia Gas Works be included in this bill.

When the bill came over to the Senate, we had quite a little discussion on it and finally met with the Attorney General and a Deputy, Mr. Friedman, together with the Minority Leader and, I believe, the Majority Leader. We tried to find out whether it was necessary to amend the bill so as to be sure the Philadelphia Gas Works would

be included. The Attorney General indicated that she could give us no decision, and that this was something which the courts would have to decide.

With that information, we, in the Finance Committee, decided—and I take the full responsibility for it—that the bill should be amended so that any doubt would be removed as to whether the Philadelphia Gas Works were or were not included. We included the Philadelphia Gas Works solely for the reason that if all of the people in Pennsylvania are going to have to pay a higher rate for their gas because of this increased tax, brought in under the utilities' gross receipts tax, then the people of Philadelphia should not be exempted, in all fairness to the other people in the community. Why should a resident of Pittsburgh have to contribute additional funds to the running of the Commonwealth, and Philadelphia, solely because it has a municipally owned gas works, operated by a commercial company, be free of that tax?

There was no intent to punish Philadelphia. Our intention was solely to apply the tax as equally as we possibly could over all of the constituents in this Commonwealth.

Mr. WEINER. Mr. President, I would just like to answer the gentleman. I hope he is not coming back here and telling us that the Hood-Kennedy Report is good for some purposes and not good for others. I would like to remind the gentleman that he has in his committee a bill recommended by the Hood-Kennedy Committee, which he has not seen fit to act on. If the newspaper quotes which were attributed to the gentleman are accurate—I can assume they are because I have never heard them denied—he stated that as long as he is Chairman of the Finance Committee, he would never bring out the stocks and bonds tax. If he is saying for some purposes the Hood-Kennedy Report is all right and he is going to enact it, and for other purposes it is no good, I cannot follow this logic.

One of the other things which the gentleman brought up in his discussion was that he does not want the people of Pennsylvania to contribute to the city of Philadelphia. I think that is far, far from being the fact. I think if the city of Philadelphia were left alone to handle its own problems and collect its own taxes and was not required to give anything to the Commonwealth, we would manage very well. We would never have to come up here and ask for anything. We would not have to ask for school subsidies or any kind of reimbursement for our roads or anything else. I think the short end has been gotten here by the city of Philadelphia all along the line. At this point, to say that we are asking anybody in the Commonwealth of Pennsylvania to contribute to us, because of this terrific beating which we have been getting all along from the other areas of Pennsylvania, I think is being unrealistic and certainly not in keeping with the facts as they are.

Everytime we come up against subsidies to schools, Philadelphia is always counted out or counted short. Even at this time, when the Tax Equalization Board sought to equalize the rough situation as it existed we now want to call back the formula and change the rules. In the other area of roads, certainly if it were based on the percentage of population or on the percentage of miles laid, Philadelphia would far and away get what it gets. However, what happens? We have a sixty-forty return and we certainly get the short end on that.

I cannot understand how the gentleman can pursue along those lines. I cannot understand how he can discuss this matter in that manner and try to say that Philadelphia wants other people to support it, when that is not borne out by the facts as we have them here or as we know them.

I would also like the gentleman to tell us, since he has served on this committee on the budget, whether he has given Philadelphia the money it needs in the county health plan? Everybody knows that out of the sixty-seven counties, sixty-six of them are in it and the only one which is omitted is the city of Philadelphia. How does this add up with what he is telling us? It is certainly not logical and it certainly does not follow what the facts are. If he will tell us that he has included Philadelphia in the county health plan, and has not cut us out of that, maybe I can begin to go along with his logic or his type of thinking. However, if the newspaper accounts are correct—and since no one has denied them, I would assume they are correct—Philadelphia has been taken out of that program also.

If the cloth fits by cutting it one way for one purpose and the cloth fits by cutting it another way for another purpose, I do not know the rules of the game and I cannot follow the game without a program. I would like to have a program, as would my colleagues sitting on this side.

I just do not understand this type of thinking or this type of logic. It escapes me completely. I wish the gentleman would take a little more time—we are not going anywhere and we are going to be here today for some time—and explain to us how this follows. I fail to follow this type of reasoning or this type of logic. If, of course, we are engaging in a kind of logic or reasoning which only fits the following of the majority votes, then I can understand that because that is politics. However, from where I sit, it is not very good politics.

Mr. DONOLOW. Mr. President, as far as we from Philadelphia are concerned, this bill is one of the most important pieces of legislation that has come before this Body. I do not want to overemphasize the importance of the amendments which we are now faced with, but it means, if these amendments are not passed, that the profits which the Philadelphia Gas Works has been making for the city of Philadelphia will go down the drain. I do not know whether my friends on the other side of the aisle are prepared to give Philadelphia increased appropriations to overcome the deficits which the people of Philadelphia are going to be faced with. The rumors we hear, as of today, are that we, from Philadelphia, will go home with our hats in our hands, with no appropriation for the Philadelphia General Hospital, with no appropriation under the Philadelphia County Health Plan, besides losing a million or a million and one-half dollars, as a result of this bill.

Mr. President, let us make it clear here today on this floor. My very good friend, Wilbur Hamilton, who is the Republican Chairman of the city of Philadelphia, has taken time out to place the blame on the Democratic Members of the Senate and the Democratic Governor for including the Philadelphia Gas Works in this tax bill. By our vote today, I hope it will be brought home to the people of Philadelphia, before the November election and thereafter, that when \$1,000,000 is taken out of the people's

funds, and when that money has to be made up, the people of Philadelphia will know who voted to put us back under this tax. This roll call vote, Mr. President, will make it very clear for Mr. Hamilton and his Republican constituents back home, once and for all.

Mr. MULLIN. Mr. President, I do not think I can sit here and hear one insult after another heaped upon the city of Philadelphia.

The city of Philadelphia is, I would say, the heart of Pennsylvania, certainly historically and, perhaps, industrially. Here we are, heaping one insult after another upon our city. Sure, the blood of Philadelphia can travel all over the Commonwealth of Pennsylvania. A school in Coudersport receives seventy-five per cent of its costs, which are paid from where? From places like Philadelphia. Still, they come to us and ask us to place unusual taxes on the city of Philadelphia. If it is the last thing I do in this Senate, it will be to vote against legislation such as this. This is discriminatory legislation against Philadelphia. When I say Philadelphia in this instance, it seems like it is Philadelphia and all the other large centers of population in Pennsylvania.

Mr. WEINER. Mr. President, before we go on to the roll call, I would just like to mention one other thing. I am not interested in delaying this discussion any longer because I think all of us pretty well realize what the result will be.

However, Mr. President, today we heard a rather impressive talk by Senator Whalley. I would like to say, on behalf of my colleagues, that it was one of the most impressive talks I have heard since I have been in this Senate. It impressed me to hear a man give all the data which he gave, without a note or any kind of prepared material in front of him. The thing which impressed me more than anything else—and I hope that my colleagues were listening—was concerning what is being done in other counties. I am certain they do not engage in this kind of pretty nonsense. That is one of the reasons they have gotten on. They address themselves to the problem at hand and try to get on with their business. This type of in-fighting, and this type of cutting and undercutting, may be great and it may be what makes a democracy great, and I would not like to see it changed for anything. However, I think this is sort of getting down to petty politics. I think it is something which we would think very carefully about before we go on to do it.

I am just wondering, if the gentlemen sitting on the other side would think carefully, how Pennsylvania would fare without the city of Philadelphia, and without the city of Pittsburgh, and without the city of Scranton and without some of the other cities that help make up this Commonwealth and provide the tax money and the sinew which makes up the length and breadth of this Commonwealth. Who are we actually hurting by this bill? We are hurting the people. They are the assets of this Commonwealth. The assets are not our buildings nor our mineral wealth. The cars which we have amassed in this Commonwealth, and the money we have amassed in the banks, amount to nothing. The thing which counts is the people of Pennsylvania. To punish two and some million people who live in the city of Philadelphia, just to serve some political end, certainly does not make good sense and it certainly does not make good politics.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—23

Barr,	Kalman,	Miller,	Sarraf,
Camlel,	Lane,	Mullin,	Seyler,
DiSilvestro,	Mahady,	Murray,	Silver,
Donolow,	McCreesh,	Ripp,	Stiefel,
Elliot,	McGinnis,	Booney,	Weiner,
Hays,	McMenamin,	Ruth,	

NAYS—27

Berger,	Harney,	Pechan,	Wade,
Blass,	Keller,	Propert,	Wagner,
Chapman,	Kessler,	Scott,	Walker,
Confair,	Koprivier, Jr.	Shafer,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,
Fleming,	Mallery,	Van Sant,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer further amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 1, last line of the title, by inserting after "companies": "and water companies"; Amend Section 1 (Section 23), page 3, line 8, by inserting after "company": "water company"; Amend Section (Section 23), page 3, line 15, by inserting after "gas": "water"; Amend Section 1 (Section 23), page 3, line 8, by inserting after "company": "water company"; Amend Section (Section 23), page 3, line 15, by inserting after "gas": "water"; Amend Section 1 (Section 23), page 5, line 13, by inserting after "gas": "or water"; Amend Section 1 (Section 23), page 5, line 14, by inserting after "gas": "or water".

Will the Senate agree to the amendments?

On the question,

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 8:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 8:00 o'clock, p. m., Eastern Standard Time.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

At the time of the recess, we had certain amendments before us to House Bill No. 660, which were offered by Senator Weiner.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, these amendments, I believe, are intended to impose the gross receipts tax upon various companies, other than gas companies, municipally owned.

Mr. President, I believe the situation regarding that type of company is considerably different from that which the gentleman advocated this afternoon to be exempted from the gross receipts tax. At that time, we were speaking, of course, about the tax upon the Phila-

delphia Gas Works, which is municipally owned. However, it was questionable in the bill whether it is municipally operated, in spite of the remarks made by some of the gentlemen on the other side.

It was stated here, I believe rather explicitly, that the reason for the vote against the amendments was that all of the people in Pennsylvania were going to pay this tax, excepting the people of Philadelphia, who, according to the amendments as offered, were to be exempted from the payment of the tax. It was also stated that the revenue accruing to the city of Philadelphia would be diminished considerably by the imposition of this tax. I do not believe, Mr. President, that this is a correct statement. There is no reason to believe that the revenue accruing to the city of Philadelphia would be diminished one cent by the imposition of this tax on gross receipts of the Philadelphia Gas Works. The Philadelphia Gas Works sets its own rates. Naturally, the tax is going to be passed on just as it is by every other gas company in Pennsylvania.

Mr. President, this simply is a smoke screen over the whole issue and, therefore, I ask my colleagues to vote against these amendments.

Mr. WEINER. Mr. President, I believe the gentleman summarized the situation as it exists correctly, except I think he failed to point out, rather emphatically, that this is a consumer tax. Being a consumer tax, it must be passed on to the people.

Where the city of Philadelphia is going to make up this revenue, I do not quite know. If they pass it on to the people and they lose the people who are consumers of gas, where would they get the new people in this same area to buy this gas or this product? How can the gentleman assure us that other people will not start using other products, such as oil, which is readily available in the area, as well as electricity which they can use for cooking instead of gas? If they can assure us that these things will not happen and that they will not have these problems, I could find myself in the position of voting for this same type of tax. However, the gentleman well knows that this is an area where there is a lot of oil and also, that cooking by electricity is becoming more and more prominent because the electric companies today are giving lower and lower rates, thereby inducing more people to use their products.

I cannot see how we can very readily pass this on to the consumer, without the company suffering. If the company suffers, in turn, the municipality must suffer the loss of revenue. This is not true of all the rest of the gas companies—other than the one in Chambersburg, as I pointed out, which is in the same situation as Philadelphia—in so far as they can immediately go before the Public Utility Commission, as they are already there, asking for an increase in their rates. The people in other areas cannot too well get oil. If you take an area like the up-State area or the center part of the Commonwealth, you cannot get electricity or oil as easily, nor at the rates that they are getting it in the Philadelphia area.

I think these are all things which should be seriously considered.

Mr. President, at this time, I desire to interrogate the Chairman of the Finance Committee, the gentleman from Lancaster, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise us on what the amount is that this tax will bring into us, in its present state, as stated in this bill today?

Mr. KESSLER. Mr. President, I believe the Department of Revenue's estimate is \$5,400,000.

Mr. WEINER. Mr. President, does the gentleman mean that per year or per biennium?

Mr. KESSLER. That is for this biennium.

Mr. WEINER. It might be very helpful if the gentleman would tell us how much this tax would bring in if we added the water companies to it?

Mr. KESSLER. I have no idea, Mr. President.

Mr. WEINER. Would it be less than the amount which you just estimated for us?

Mr. KESSLER. Unquestionably, it would be more.

Mr. WEINER. Would you say it would amount to twice as much as this bill has in it now?

Mr. KESSLER. Mr. President, I cannot guess. I have no idea.

Mr. WEINER. Mr. President, may I qualify the gentleman as an expert witness, who has looked into these matters for a long period of time? Would he give us an educated guess on what he feels this would bring in?

Mr. KESSLER. Mr. President, I have never made an attempt to estimate the revenues of the water companies in Pennsylvania. I simply cannot make any guess that would be worth-while.

Mr. WEINER. Mr. President, would the gentleman tell us if there are twice as many water works as there are gas companies in this Commonwealth?

Mr. KESSLER. I cannot answer that, Mr. President. However, I would presume there are many more water companies than there are gas companies.

Mr. WEINER. At the present rate, Mr. President, would the gentleman tell us whether this would bring in about \$10,000,000 or \$20,000,000 more than is estimated by this bill?

Mr. KESSLER. Mr. President, the gentleman's figures are just as good as any that I would give.

Mr. WEINER. Would the gentleman say that the figures I have given are worse than he would guess to be the amount that this bill would bring in?

Mr. KESSLER. Mr. President, I am not accustomed to guessing unless I have some facts. I have no idea how many water companies there are or what the revenues might be, and any guess I would make would just be a figure drawn out of the air.

Mr. WEINER. Mr. President, would the gentleman please advise us if this bill, with water companies included in it, were to produce more revenue, would he be willing to vote for it?

Mr. KESSLER. Mr. President, we have no such bill before us. I would have to see what the total revenue would be. Maybe we do not need all of that money.

Mr. WEINER. Would the gentleman further advise us, if I were to advise him that this bill would bring in more money and it might take care of the cuts which are allegedly made in the budget, whether he then would vote for this bill?

Mr. KESSLER. Mr. President, the cuts which are proposed in the budget are made to save the taxpayers money. I cannot see any sense in adding another tax to make up for the cuts.

Mr. WEINER. I want to thank the gentleman, Mr. President. If I was having difficulty in following his logic before, I am having more difficulty now.

If you cut out of the budget money which is allocated to take care of people's needs, and the revenue is already there to take care of them, I cannot see how you save people money unless you do away with tax measures that are going to raise the money to provide for this budget. Maybe that is a piece of devious thinking that I cannot follow, but that is the way I analyze it.

I want to thank the gentleman, however. He has been more than kind.

Mr. President, I believe that one of the statements made by the Chairman of the Finance Committee was that he has always been anxious to raise more money. There are some bills on the Calendar which he has told us might do this. Here is a perfect opportunity for us to raise more money and do it as painlessly as we possibly know how.

I would like to ask the gentlemen who are interested in the Commonwealth of Pennsylvania—so that we will not have to cut education, hospitals and other needy institutions in this Commonwealth—to vote for this measure so that we can get the proper revenues which we need. In that way, it will not be necessary to cut anybody. We might be able to add some money for the colleges and some of the other institutions which we all know can use all the money they can get and then some.

Mr. EHRGOOD. Mr. President, a few days ago, I was here in the halls of the Senate and I heard the Minority Leader complain about a constitutional question. I am sure that Senator Weiner would not want to go ahead and add additional taxes on a measure such as this.

I do not want to get a crying towel out for him at this late hour, because, after all, I am sure that Philadelphia is a very wealthy city and probably can take care of itself. With the help of Delaware County, Lebanon County and many other of the rural counties, I believe that the Commonwealth will be well able to take care of itself.

Mr. WEINER. Mr. President, I am glad that the gentleman prefaced his remarks by stating that he was here only a few days ago. Had he been here continually, he would have understood that I said that all revenue-raising measures have to be House measures because the Constitution states, Article III, Section 14, that all revenue-raising measures must originate in the House.

If the gentleman will look at his Calendar, I might point out to him that we are working on House Bill No. 660. This is a tax measure which has originated in the House and which is now before us. By the amendments we are offering to it, we are trying to bring in more revenue than it now will bring in. This is not changing the measure nor is it taking a Senate measure and subverting it for the purposes of raising revenue.

As far as a crying towel is concerned, Mr. President, we do not need any tears at all. We are merely asking, as we have always asked, that if you leave the money we collect from the city of Philadelphia in the city of Philadelphia, we will ask you for nothing. We will be quite able to take care of ourselves. Our cry is that you

take the money from the city of Philadelphia, return very little of it back to the city of Philadelphia and use it throughout the rest of Pennsylvania, and spending most of your time by cutting the programs and the projects that the city of Philadelphia is trying to carry out for itself in order to pull itself up by its own boot straps. If you will just leave the Philadelphia problem to Philadelphia, you will have no further difficulty whatsoever. That has been our cry all along.

I would suggest to the gentleman that he look into the problem and use his energies, instead of crying, in trying to see that Philadelphia is included along with the other sixty-six counties in Pennsylvania in the county health program, which we so badly need in our city.

Mr. EHRGOOD. Mr. President, I do have my handkerchief out, but, of course, I do not think it is for the Minority Leader.

I would say, Mr. President, that we hear about education in the city of Philadelphia. When we hear about the sad load that the rest of the Commonwealth has to bear for the educational problem, and when we hear that the city of Philadelphia has an effective tax rate,—a millage rate of eleven mills—I begin to wonder about the statements made by the Minority Leader.

Mr. WEINER. Mr. President, if the gentleman would acquaint himself with the problems of Pennsylvania and the problems of Philadelphia, as they exist, and realize the programs that have been put into Philadelphia, after so many years of nothing being done, he would realize the reason for us being in the position which we are in.

I did not want to get into the politics of this matter because I do not think that is germane here. However, if our friend here from Lebanon thinks this is the time to get into this area and to make this a political issue, I will be very happy to accommodate him and go into some of the misdoings and misfeasances which took place and why many, many people in Philadelphia, who used to occupy public offices, threw themselves out of windows. It is not my purpose here to go into all of that.

I think this is a serious matter and I do not think this is the type of thing that you should jest about. To say that the people of Philadelphia should put out a crying towel, I think is in bad taste. Our problem is one of a serious nature and one which affects us very badly. It is a problem which we have lived with for a long time, in order to get our gas works in a position where it will begin to earn some money and keep itself. Therefore, I think it is absolutely wrong, morally and legally, to put this burden on the people of Philadelphia, knowing full well that the entire purport of this thing is to make it a political issue.

The PRESIDENT. I think, gentlemen, we are getting a little far afield.

Mr. BERGER. Mr. President, I have listened attentively to the remarks made by the Minority Leader. I will not go into them at all, except to make this comment.

What he says about the city of Philadelphia and the retention of the taxes, which the city of Philadelphia pays into the Commonwealth of Pennsylvania, might well be said about the Commonwealth of Pennsylvania and the taxes that it pays into the Federal Government. That has been the taxation axiom for many years. Those who are in a greater center of population, of greater wealth,

pay into the common wheel the greater amount of money.

There is no question about the fact that Philadelphia pays a large amount of taxes into the Commonwealth of Pennsylvania. There is no question about the fact that Pennsylvania pays a large amount of taxes into the Federal Government. Those taxes are devoted to the States which are of lesser population, lesser wealth and lesser resource. Mr. President, that is always going to be the case in taxation, whether it is Federal or whether it is State-wide. The gentleman well knows that and there is no reason to debate this question further.

Mr. WEINER. Mr. President, I just want to point out to the gentleman that he is correct in that situation, in that we do suffer. However, I do not think two wrongs make a right. Just because the Federal Government makes us suffer for what we give it, and we do not get back our proportionate share, is no reason to visit this upon the small communities which make up the parts of this Commonwealth. If this is a wrong that we can correct here, then we should correct it. I cannot do anything about the problems which exist in Congress or in the Federal Government. I can only try to, through my Representatives. However, I think if I can do something about it here, then this is the place for me to begin and try to correct any wrongs that might take place.

The PRESIDENT. I think, perhaps, we could speak on the amendments at this time.

Mr. BERGER. Mr. President, I agree with you entirely, except I want to say that Pennsylvania is a proud member of the Union of the United States. I hope Philadelphia is a proud city of the Commonwealth of Pennsylvania.

The PRESIDENT. There is no doubt about that. I think we should proceed to the vote on these amendments.

Mr. EHRGOOD. Mr. President—

The PRESIDENT. Do you wish to speak further on the amendments?

Mr. EHRGOOD. I would like to speak on what the Minority Leader said, Mr. President.

The PRESIDENT. That, I think, was far afield at the present time.

Mr. EHRGOOD. I agree one hundred per cent, Mr. President. However, at that time—

The PRESIDENT. If you agree with me, then how can you speak on what the Minority Leader said?

Mr. EHRGOOD. Mr. President, I believe what I have to say is relevant to the amendments, themselves.

The PRESIDENT. The so-called Minority amendments simply relate to adding water companies. I have not heard a word about water companies.

Mr. EHRGOOD. Mr. President, I will yield.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MALLERY. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded. The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Barr,	Kessler	Miller,	Ruth,
Ehrgood,	Lane,	Murray,	Sarraf,
Fleming,	Mahady,	Pechan,	Seyler,
Hays,	McGinnis,	Ripp,	Taylor,
Kalman,	McMenamin,	Rooney,	Van Sant,

NAYS—30

Berger,	Elliott,	Mallery,	Stiefel,
Blass,	Flack,	McCreesh,	Wade,
Camiel,	Harney,	Mullin,	Wagner,
Chapman,	Keller,	Propert,	Walker,
Confair,	Koprivier, Jr.	Scott,	Watkins,
DiSilvestro,	Kromer,	Shafer,	Weiner,
Donolow,	Madigan,	Whalley,	Wolfe,
		Stevenson,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

MEMBERS OF UPPER ALLEN KIWANIS CLUB PRESENTED TO SENATE

Mr. WADE. Mr. President, now that our finances continue to be unsolved, I would like to take this opportunity to present to the Senate, and to you, members of the Upper Allen Kiwanis Club, headed by Mr. Harry Yocum, President; Mr. Don Seidel, immediate Past President; Mr. Blair Paden, First Vice-President; and Mr. Foster Berkheimer, Second Vice-President.

If you, Mr. President, will present them to the Senate, I will appreciate it.

The PRESIDENT. Will the gentleman rise and be presented to the Senate?

We are very happy to welcome you to one of the evening Sessions.

HOUSE BILL No. 661 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 2 of today's Third Reading Calendar, House Bill No. 661, Printer's No. 150, which previously went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 661, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. VAN SANT. Mr. President, I request a slow roll call.

(During the calling of the roll, the following occurred:)

Mr. VAN SANT. Mr. President, I requested a slow roll call and, voting under a misapprehension, I would like

to be recorded as voting "aye." If the Clerk would please call the roll slowly when a slow roll call is requested, I would appreciate it.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,	Kalman,	Miller,	Sarraf,
Camiel,	Kessler,	Mullin,	Seyler,
DiSilvestro,	Lane,	Murray,	Silvert,
Donolow,	Mahady,	Pechan,	Stiefel,
Ehrgood,	McCreesh,	Ripp,	Taylor,
Fleming,	McGinnis,	Rooney,	Van Sant,
Hays,	McMenamin,	Ruth,	Weiner,

NAYS—22

Berger,	Harney,	Propert,	Wagner,
Blass,	Keller,	Scott,	Walker,
Chapman,	Koprivier, Jr.,	Shafer,	Watkins,
Confair,	Kromer,	Stevenson,	Whalley,
Elliott,	Madigan,	Wade,	Wolfe,
Flack,	Mallery,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Orderer, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL No. 662 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 2 of today's Third Reading Calendar, House Bill No. 662, Printer's No. 1571, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles, liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-nine Anno Domini one thousand eight hundred and seventy-four and of the supplement thereto,' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies," increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,	Kalman,	Miller,	Sarraf,
Camiel,	Kessler,	Mullin,	Seyler,
DiSilvestro,	Lane,	Murray,	Silvert,
Donolow,	Mahady,	Pechan,	Stiefel,
Ehrgood,	McCreesh,	Ripp,	Taylor,
Fleming,	McGinnis,	Rooney,	Van Sant,
Hays,	McMenamin,	Ruth,	Weiner,

NAYS—22

Berger,	Harney,	Propert,	Wagner,
Blass,	Keller,	Scott,	Walker,
Chapman,	Koprivier, Jr.,	Shafer,	Watkins,
Confair,	Kromer,	Stevenson,	Whalley,
Elliott,	Madigan,	Wade,	Wolfe,
Flack,	Mallery,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SENATE BILL No. 1105 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 3 of today's Third Reading Calendar, Senate Bill No. 1105, Printer's No. 1426, which previously went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I now ask unanimous consent that Senate Bill No. 1105, Printer's No. 1426, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 1112 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 3 of today's Third Reading Calendar, Senate Bill No. 1112, Printer's No. 1427, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 2100 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 3, of today's Third Reading Calendar, House Bill No. 2100, Printer's No. 1639, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or redefining certain words, terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2 of Title, lines 3 and 4, by striking out im- where it appears on line 3 of title, and by striking out all of line 4; Amend Section 1, page 3, lines 10 and 14, by striking out the bracket before "bottled" on line 10, and by striking out the bracket after city on line 14; Amend Section 1, page 4, line 1, by striking out the brackets before and after any; Amend Section 3, page 6, lines 6 and 15, by striking out the bracket before "the" on line 6 and after distributor" on line 15. Amend section 3, page 6, line 20, by striking out the bracket before THE and after sale. Amend Section 3, page 7, lines 1 and 3, by striking out the bracket before "of" on line 1 and by striking out the bracket after "butor" on line 3; Amend Section 5, page 9, line 19, by striking out the bracket before "the" on said line and after "to"; Amend Section 5, page 10, lines 1 and 8, by striking out the bracket before "bottled" on line 1 and by striking out the bracket after "distributor" on line 8; Amend Section 7, page 11, line 13, by striking out the brackets before and after the words or bottled and by striking out but shall; Amend Section 7, page 11, line 14, by striking out include and the bracket before whether on line 14; Amend Section 7, page 11, line 15, by striking out the bracket after container and by striking out "and the price of such"; Amend Section 7, page 11, lines 16, 17, 18 and 19 by striking out all of said lines; Amend Section 8, page 12, line 10, by striking out the brackets where they appear on said line; Amend Section 9, page 12, lines 12, 13, 14, 15, 16, 17, 18 and 19 by striking out all of said lines; Amend Section 9, page 13, lines 1 and 2 by striking out all of said lines; Amend Section 10, page 15, line 20, by

striking out the brackets where they appear on said line; Amend Section 10, page 16, lines 1 and 8, by striking out the brackets where they appear on said lines.

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, these amendments are rather difficult to read and, therefore, may I ask the Minority Leader to explain them?

Mr. WEINER. I should be most happy to and I am sorry they are so lengthy and difficult.

However, what they do is remove the brackets put in, which amended House Bill No. 2100, and change the imposition of the tax on soft drinks at the alleged consumer level by making the people pay for it as they go through the turnstiles in the stores, rather than leaving it where it is now, at the distributor level.

Mr. BERGER. Then, Mr. President, these are intended to take the tax from the distributor level and put it on the consumer level. Is that correct?

Mr. WEINER. That is not correct. Just the reverse of that is correct. At present, the tax is on the distributor level. We want to leave it there. This bill would now put it directly onto the consumer.

Mr. BERGER. Mr. President, as I understand the bill, it is now upon the consumer level. Is that not correct?

The PRESIDENT. It is my belief, as I receive the information from the Minority Leader, that it is on at the distributor level, under the present bill.

Mr. BERGER. Under the present bill, is at the distributor level?

Mr. WEINER. That is correct.

Mr. BERGER. Your amendments would place it on the consumer level. Is that correct?

Mr. WEINER. No, sir. The tax at present, as was introduced in the original bill and passed in the original bill, is still on the consumer, but is being paid by the distributor. The amendments to this bill would take this tax now away from the distributor and place it completely on the consumer. It would have to be collected from the consumer, or taken from the consumer and kept by the person who took it in the last instance. The original bill, as passed, puts it on the distributor to pay to the Commonwealth. This bill would now take it back one more step down the level and make it at the consumer level, where it has always been, and make the person who took it in the last instance pay it.

Mr. BERGER. Mr. President, I did not so understand the amendments. My understanding was that the bill, as it is presently before us, puts the tax upon the consumer when he buys the product in the so-called six-package carton and when he buys it from the soft drink distributor. Am I not correct?

The PRESIDENT. Is the interrogation lost on you, Senator Weiner?

Mr. WEINER. I am sorry, Mr. President. I was interrupted. Would the gentleman please ask his question again?

Mr. BERGER. Mr. President, will the gentleman inform

me whether or not the tax, as presently constituted, puts the tax upon the distributor only?

Mr. WEINER. That is correct.

Mr. BERGER. Are these amendments intended to restore it to that form?

Mr. WEINER. That is correct.

Mr. BERGER. The bill, as presently before us, Mr. President, places the tax upon the consumer. Is that correct?

Mr. WEINER. That is right.

The amendments, as we have them here remove the tax from the retail level. In other words, they restore it to where it originally was before this bill was before us, and before the amendments were placed in it by the Senate Finance Committee.

Mr. BERGER. As I understand it, Mr. President, when a purchaser of this type of beverage buys it in a store, he pays the tax on his way out. Is that correct?

Mr. WEINER. Not at the present time.

The PRESIDENT. The question is as to your amendments.

Mr. WEINER. As House Bill No. 2100 is amended now, with the amendments being placed in it by the Senate, if it became law, then every person who goes through a turnstile in a super market or in a small store would pay the tax on it at that point. That is correct.

Mr. BERGER. That is my understanding.

The PRESIDENT. I wonder whether I could see the Minority Leader and the Majority Leader up here for just a moment.

Mr. WEINER. I am sorry, Mr. President. I do not know whether the Majority Leader is finished with his interrogation of me.

The PRESIDENT. I do not know whether he is or not.

Mr. BERGER. May I again inquire of the Minority Leader just what his amendments are intended to do?

Mr. WEINER. My amendments, Mr. President, leave the bill as it was originally passed by the House, which is that the distributor pays the tax to the Commonwealth of Pennsylvania.

Mr. BERGER. Again, Mr. President, I inquire whether or not the bill, as presently before us, puts the tax upon the consumer?

Mr. WEINER. That is correct.

Mr. President, I would like to point out that House Bill No. 2100, as it came over from the House, was merely a vehicle to take care of the problems which exist in the collection of the tax. It was merely an administrative bill in that sense. It was then changed in the Finance Committee of the Senate, in order to remove the tax as originally passed, which placed it on the distributor, on down to the consumer. Everytime anyone walked through a turnstile, bought a six-pack or bought more than a unit on a case, they would then have to pay the tax. I believe the original measure, as passed, was easier to collect.

The reason it was left at the distributor level was because all of those people are licensed. It is easy to inquire as to how much money they have taken in, what their inventory is and for them to collect the tax and for the Commonwealth to collect it from them. I think I do not have to go into any great detail for the gentlemen in this room to point out how difficult it is if you had to walk into

every retail store existing in the Commonwealth of Pennsylvania and collect from them the tax which they collected from the people. Most of those stores, which are one-man operated or a husband and wife store, do not keep very accurate records. I think having the tax collectors follow after them to see that they do keep accurate records would run into much more money than this tax possibly might bring in, just in enforcing the collection of it.

I, therefore, ask that my amendments be adopted in order to bring this bill back to where it was when it came out of the House and leave the tax where it was when it came out of the House and leave the tax where it is now in order for us to receive the money which is due us.

The argument might be propounded that this might bring in more money. That could very well be true, but the question is, would it ever get back to the Commonwealth of Pennsylvania? I think there might be some difficulty in getting an answer to that.

Mr. BERGER. Mr. President, I question very much whether that statement will hold water. I do not believe that the storekeepers and the merchants of Pennsylvania are going to cheat on the tax. Mr. President, they have to collect tax upon any number of articles which are sold in food stores and similar stores in the same way that the articles under discussion are sold. They are obligated, by the tax measures of Pennsylvania, to collect the tax upon those articles. They simply collect the tax upon this merchandise the same as they collect it upon other merchandise which is taxable. Most articles in food stores are not taxable. It is probably a difficult thing for the cashiers to impose a tax upon mops, soap powder and that sort of thing, which happen to be taxable under the Sales Tax. However, it is no more trouble for them to impose it upon this merchandise than it is upon the other type.

I question very much whether the Commonwealth loses a great deal of tax because of withholding by the merchants of Pennsylvania from their government. I will say, Mr. President, that this tax is calculated, according to my information, to bring more money than the tax bill as it was passed over to us from the House.

Mr. WEINER. Mr. President, one of the difficulties in the small store is not that the storekeeper would cheat. I would not cast that kind of an aspersion upon the storekeepers or upon their good names. I think their difficulty is in keeping accurate records or keeping extensive records in order for them to make their returns. It may be that all storekeepers do not also sell soap, mops and other items which the super markets do sell. I think, however, there are very few stores that do not sell soda pop of some kind. I think it is also a little difficult to impose upon the consumer such a tax, and most of the taxes we have passed here have been consumer taxes. When a man is going to run a little party for his children or have a little party for people visiting in his home, you are constantly hitting him for nickels, pennies and dimes.

As between all the people who are concerned here to collect this tax, I certainly think the distributor is in a better position, having the personnel, having the office staff and having the people who can handle this thing, to collect the tax and make a return along with the other returns he makes to the Commonwealth and Federal Government.

Mr. CONFAIR. Mr. President, I heard the Minority Leader speak awhile ago about the fact that they needed more money. I heard him say that he wanted to put a tax on water companies. This bill here will bring more money into Pennsylvania and I think he should be interested in bringing more money into the State.

We, in the bottling business, disagree with one thing and that is that we should not be singled out as a different business and have an excise tax. This bill is an excise tax. It is not a sales tax. I do not want the impression made that it is a sales tax. We believe that the bill as it stands here, without these amendments, is a sales tax. We feel that the beverage business should impose a sales tax like any other business in Pennsylvania. I have confidence in the retailers. I do not believe that they are a bunch of thieves. I know they will pay their tax on soft drinks like they do on any other thing.

Therefore, Mr. President, I request my colleagues to vote against these amendments.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Lancaster, the Chairman of the Finance Committee, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, could you tell the Members of the Senate just how much additional revenue will be derived by having this legislation at the retail level? What would be the additional amount of revenue?

Mr. KESSLER. Mr. President, it is estimated between \$800,000 and \$1,000,000 additional revenue.

Mr. LANE. Could you tell the Members of the Senate how many distributors or wholesale outlets we have, as far as soft drinks are concerned, in Pennsylvania?

Mr. KESSLER. Mr. President, I did not understand the question.

Mr. LANE. Would you advise the Members of the Senate as to how many wholesale or distributor outlets we have in Pennsylvania for soft drinks?

Mr. KESSLER. I do not know, Mr. President.

Mr. LANE. Could you tell the Members of the Senate how many retail outlets we have in Pennsylvania for soft drinks?

Mr. KESSLER. I do not know that, Mr. President.

Mr. LANE. Mr. President, we put up a great big argument here as to the advantage of collecting this tax at the retail level. The Chairman of the Finance Committee does not know how many distributors we have in Pennsylvania. He does not know how many retail outlets we have in Pennsylvania. Common sense will tell you, me and anyone else that the collection of the tax at the source is a great advantage not only to the taxpayers as a whole, but it will cut down the expense of collecting the tax.

As I have said before on the floor of this Senate, it is very, very difficult to collect a great percentage of the sales tax here in Pennsylvania because we have a classified sales tax. You gentlemen well know—those of you who worked on the Appropriations Committee when we were hearing the budget—that officials from the Department of Revenue stated that it is very difficult to collect seventy-five or eighty per cent of the present taxes.

Here we are changing the law again by putting this at the retail level. Although I am not accusing anyone of not collecting the tax or not paying it over, it is an

impossibility to collect any great percentage of this tax if we have it at the retail level. I think it is more economical and more efficient to collect it at the distributor level.

I think the idea back of this legislation, if you do not mind me saying so, is purely political. If it were not political, you would not have inserted these amendments in House Bill No. 2100, which is really an enforcement act. There is your answer in a nutshell. If you are not playing politics, you will vote for Senator Weiner's amendments.

Mr. KESSLER. Mr. President, a number of years ago in Pennsylvania, we started to have a consumers' sales and use tax. We have tried to maintain that tax as a consumers' tax. This Session, for the first time, we are beginning to step back from the consumer level to the distributor level. If we start that, we may as well take all the taxes and go back. The simplest way to collect the taxes is what was proposed several bienniums ago, on the manufacturers. There are very few of them. We could put a manufacturers' excise tax on many things, but that was not the purpose. The idea is to have a consumers' tax where people will be conscious of what government is costing them. They pay their tax when they make purchases. It is a spending tax. People do have an opportunity to avoid the tax if they do not wish to pay it. There was no question, in connection with the tax on laundry and dry cleaning, of shoving that back. We put it at the consumer level also.

I dislike the inferences that all of these moves which are made are political. I assure you that I have no interest in the political implications or the impact of this tax. What I am trying to do is to keep it as a consumers' tax and to make sure that we receive just as much revenue as possible.

We do know that the wholesale price of soft drinks is considerably less than the retail price. It stands to reason that if the tax is levied on the retail price, the income is going to be increased. Most of these outlets, as Senator Berger has pointed out, are already collecting taxes. This is just one more item that they will be collecting on.

Mr. LANE. Mr. President, I desire to interrogate the Chairman of the Finance Committee, the gentleman from Lancaster, Senator Kessler, again.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. If you are so sincere in your approach to this problem, then why did you insert these features in House Bill No. 2100? Why did you not have a special bill, like you did for the beer and liquor tax?

Mr. KESSLER. Mr. President, I am very happy to answer that question. There were a number of bills in the Senate Finance Committee which we decided to incorporate into House Bill No. 2100. One had to do with trying to collect tax from the catalogue houses. Another one, I think, had to do with a change in the tax on automobile dealers. There are some other additions which we could point out if we go through the bill. We felt that the tax on beer and liquor, at the retail level, was a highly controversial subject. We did not want to jeopardize House Bill No. 2100 by inserting that amendment in this bill. We felt that the soft drink tax was not such a controversial issue. That is why we put it in.

Mr. LANE. Mr. President, I assume that the Chairman of the Finance Committee now realizes that the soft drink tax is certainly a controversial issue.

Mr. WEINER. Mr. President, since the Chairman of the Finance Committee pointed out about this consumer tax, I wish he would tell me—perhaps, I am under a misapprehension here—where the tax on House Bill No. 660 which was before us, dealing with the gas tax, was placed.

Mr. KESSLER. Mr. President, if I may combat just briefly—

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler. That was a question I put to him.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

What was the question?

Mr. WEINER. I will repeat the question, sir.

Would you advise us where the tax was being placed in House Bill No. 660 which we just voted on this evening, which is the gas tax?

Mr. KESSLER. Mr. President, that tax is a tax on public utilities which eventually reaches the consumer.

Mr. WEINER. Mr. President, I want to thank the gentleman. He has been very kind in answering my questions.

However, Mr. President, I fail to follow this type of thinking. If you place the tax on public utilities, then the public utilities should pay it. If you place it upon the public utilities with ultimately the consumer paying it, then it is a consumer tax. You cannot have one or the other. You must decide which way we are going to go. If we are going to place the tax directly on the people, let us say so. I do not think we should play games or shadowbox with them. I think one of the things you are saying here is that you want the people to know what government costs them, and I think the people are fully aware of that. If, by loading these taxes onto them and placing them on them very harshly, you are going to bring the matter home to them, I think you have already accomplished your purpose without enacting any further taxes.

However, Mr. President, I would like to point out to the gentleman that whether this tax is collected at the distributor level or whether it is collected at the retail level. I think the most important thing we must bear in mind is how much is Pennsylvania going to receive from the money which is collected. Is it all going to fall back to the Commonwealth? Is it going to cost us a lot of money to collect those taxes? If you can answer the first question by saying that we are going to receive most of our money and the second question by saying that it is not going to take a lot of people to collect it, then I think we should favor that type of taxation. I think you are hiding behind the fact that it is either consumer, depending upon where it is placed, and I think ultimately the consumer places it. I think it is playing with words or getting into a problem of semantics when you are dealing with whether it is at the distributor level or actually at the retail level, as we were talking about it.

Mr. EHRGOOD. Mr. President, the thing I object to about the Democratic minority Leader's statement is about

loading taxes. The only person who is loading taxes on the Commonwealth of Pennsylvania is the Governor, a Democratic Governor. He is the one who has gone ahead and who has hidden behind an alleged bipartisan committee. He has gone ahead and said that we should impose this tax on gas and this tax on bank shares. If there is anyone loading taxes on the citizens of Pennsylvania, it is the Democratic Administration and Senator Weiner is a part of it.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Lebanon, Senator Ehrgood.

The PRESIDENT. Will the gentleman from Lebanon, Mr. Ehrgood, permit himself to be interrogated?

Mr. EHRGOOD. I will be very happy to, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise us, as a responsible elected official, how he proposes that we place a taxation upon the people of Pennsylvania, or anybody in Pennsylvania, to provide enough money to operate the budget?

Mr. EHRGOOD. Yes, Mr. President. I would vote and I have voted for House Bill No. 660, which was just voted down in the Senate of Pennsylvania and which the Democratic Administration proposed. That is one of the methods. I want to know, Mr. President, how he voted on that measure.

Mr. WEINER. Mr. President, I believe I am doing the interrogating. If the gentleman is confused, I will be glad to explain to him who is doing what. I will be glad to answer any of his questions. However, I desire to further interrogate him.

Mr. President, would the gentleman from Lebanon advise us how he voted on the three and one-half per cent sales tax?

Mr. EHRGOOD. Mr. President, I voted for it.

Mr. WEINER. I want to thank the gentleman, Mr. President.

As I remember it, when we first met and reorganized the Senate this Session, this gentleman was sitting on the other side. Unless he has changed party affiliation, I am not aware of it. He is not a part of the Governor's Party and he is not a part of the Democratic Party over here. If he voted for taxes and did it as a responsible elected official, then I told him at the time that I thought it was a right and courageous thing to do because we had to have money for the budget, not only to take care of his area but my area also. If at this late date he is coming here and castigating anybody for voting for taxes, when he realizes there is no other way to raise money for this Commonwealth, I think that is somewhat in the area of a little bit of phony politics. I think it ill behooves him at this late date to get into that area at all. I think it would do well for this gentleman to pay attention to what is going on here and try to find out what is happening so far as the budget and taxes are concerned before we start talking about politics. If the gentleman saves that for the last week of the Session, we will get along fine.

Mr. EHRGOOD. Mr. President, if there are any phony politics going on in this Senate of Pennsylvania, it is coming from the Minority Leader's desk.

Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrelated?

Mr. WEINER. I will be very happy to, Mr. President.

The PRESIDENT. Gentlemen, we have amendments to House Bill No. 2100 before us at this moment. I think we have lost track of that fact. I wonder whether we could come back to them.

Mr. EHRCOOD. Mr. President, I was interrogated and I merely asked for fair play. You know, I have heard a lot about fair play from the Democratic school bill and I wonder whether the Democratic Minority Leader, Senator Weiner, would permit himself to be interrogated.

The PRESIDENT. Does the interrogation pertain to House Bill No. 2100, Senator Ehrgood.

Mr. EHRCOOD. In a way, yes.

The PRESIDENT. Very remotely, I take it.

Mr. EHRCOOD. You know, relevancy is a matter of judgment, Mr. President, I always defer to the Judge in a matter such as this.

The PRESIDENT. Therefore, I would say that certainly you could ask the Minority Leader questions at the proper time. If they do not relate the amendments to House Bill No. 2100, this is not the proper time.

Mr. EHRCOOD. Your Honor—Mr. President, if I were in court in Lebanon County, I would probably get a little angry. However, with you, sir, I would not do that. Therefore, I will defer questioning. I dislike, however, allowing the Minority Leader getting the last word.

The PRESIDENT. This I can understand, too. We do have amendments to act upon, however.

Mr. WEINER. Mr. President, I want to make an amendment to Senator Ehrgood's late statement. He only called you "Your Honor" because he mistook you for his honorable father.

Mr. WATKINS. Mr. President—

The PRESIDENT. Do you wish to speak on the amendment.

Mr. WATKINS. No, Mr. President. I rise to a point of fair play.

I do not talk very often on the floor of the Senate, but I have sat here, under your ruling, Governor, and watched you permit Senator Weiner to play politics, get away from these amendments and talk about anything he chose. As soon as Senator Ehrgood or any other Republican Member stands on this side, then you come to a point of order.

I feel it is time that we, on this side, insist on a little fair play. I am always willing to abide by the Chair's decision on any decision that you might make. However, I want that same courtesy extended to the Republican Members of the Senate.

The PRESIDENT. Senator Watkins, I think that remark is uncalled for. I think I have tried, at all times, to be meticulous in my fairness to both sides of the Senate. I shall continue to do that to the best of my ability.

At this point, we have amendments before us to House Bill No. 2100.

And the question recurring,

Will the Senate agree to the amendments?

Mr. WATKINS. Mr. President, may I ask you one question?

The PRESIDENT. Yes, Senator.

Mr. WATKINS. Mr. President, did Senator Weiner

confine his remarks to the amendments?

The PRESIDENT. I cut Senator Weiner off, also.

Mr. WATKINS. I did not hear you cut him off, sir. If you did, I apologize to you.

The PRESIDENT. I think your colleagues would say that I had. I tried very hard to stop a display of an argument that had no bearing on the amendments that were here before this Senate, and I think I succeeded.

Mr. WATKINS. Well, Mr. President, I thank you anyway. You have my opinion, and if I have misquoted you in any way or misjudged you, you have my apologies. However, up to this time, I did not hear you stop him, not only on this occasion but on many other occasions when I have sat here in the Senate of Pennsylvania. We can talk over here just as well as Senator Weiner, if he wants to talk politics. I will guarantee you that we can dig up more speakers than you will find on the other side if we really want to talk.

The PRESIDENT. I am certain both sides of the Senate are quite capable.

Mr. BERGER. Mr. President, I move the previous question.

The PRESIDENT. The question before the Senate is on the adoption of the amendments.

And the question recurring,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I want to speak on the amendments. I have a statement here which I think will be of information to the Majority Leader in regard to these amendments.

The PRESIDENT. Senator Lane, I am sorry, but the previous question has been moved.

Mr. LANE. All right, if that is the way they want to play ball. I wanted to make a point here in regard to the money that is going to be lost, as stated by Doctor Kurtzman. If you are going to play ball that way, O. K. If the ball bounces that way, we will bounce it the other way. I will guarantee you that you are going to read all bills at length from now on.

The PRESIDENT. Senator Lane, this is out of order, please.

Mr. LANE. All right, I am out of order. He should be out of order, too.

The PRESIDENT. He is out of order. I have not recognized him and I have recognized you. However, at this point, we have a vote before us.

Mr. LANE. Mr. President, I cannot talk. I want to speak on the amendments. I do not want to talk politics. I want to talk about the amendments.

The PRESIDENT. If you will restrict yourself to the amendments, I shall hear you.

Mr. LANE. Strictly to the amendments, Mr. President.

Mr. BERGER. Mr. President, as a point of order, I wish to call to the Chair's attention that I did move the previous question. However, if the gentleman wishes to speak upon the amendments, I will withdraw my motion.

The PRESIDENT. Actually, Senator Berger, the motion for the previous question should have been seconded by four Senators, so that your withdrawal eliminates a problem that I would have had in a moment.

Now, Senator Lane, if you wish to speak on the amendments, I will recognize you.

Mr. LANE. Mr. President, I just wish to advise the Majority Leader, and the Chairman of the Senate Finance Committee, that Doctor Kurtzman reviewed this legislation in its present form, and, in his opinion, if this legislation passes in its present form, the State of Pennsylvania is going to lose approximately \$3,000,000 this coming biennium. That is his statement, and I feel that in view of that, they will probably wish to carry this bill over and have a talk with Doctor Kurtzman tomorrow and get all of the details.

Mr. BERGER. Mr. President, I have always had the utmost confidence in the estimates made by the Economy League of Pennsylvania, which was represented by Doctor Kurtzman, a gentleman in whom I also have great confidence.

However, Mr. President, I did discuss this sometime ago with Doctor Kurtzman, and my recollection is that he was unable, at that time, to make an estimate as to the revenues which might accrue or might not accrue from this type of tax at the retail level or at the distributor level.

Therefore, Mr. President, I believe that my discussions with the gentleman in question were probably as sincere as those which he has had with Senator Lane, and I stick to the estimates which we, on this side, have received from other sources; that this will result in approximately \$900,000 to \$1,000,000 additional revenue to the Commonwealth of Pennsylvania.

Mr. LANE. Mr. President, Senator Kessler said \$800,000. Now Senator Berger has it up to \$900,000 or \$1,000,000. I say that Doctor Kurtzman was right, and we are going to lose about \$3,000,000.

Of course, they have the votes over there, but I want you to know what we are faced with. We are going to lose some money if you continue along these lines. We have carried this bill on the Calendar for a month and it would not hurt to carry it over until tomorrow and have a talk with Doctor Kurtzman. There is nothing wrong with that. There is no rhyme or reason for the argument.

Mr. BERGER. Mr. President, again I call the Chair's attention to the salutary rule of the Senate that a person may speak upon a bill but twice. However, I have violated that rule and I believe some of the gentlemen on the other side have violated it.

The PRESIDENT. I have tried never to restrict the Senate in that way.

Mr. BERGER. I understand that, Mr. President.

Mr. EHRGOOD. Mr. President, if I may suggest, in view of listening to both of these conversations, from the Majority Leader and from Senator Lane, perhaps the reason that the estimates have been changed by Doctor Kurtzman is because he is now employed by the Administration, and that may be the reason for the change. I would suggest that.

Mr. LANE. Mr. President, that is a low blow. That is not politics, is it?

REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I will request that the bill go over in its order until tomorrow until we have an opportunity to talk with Doctor Kurtzman.

Mr. BERGER. Mr. President, I object.

MOTION THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I move that this bill go over in its order.

Mr. WEINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I request a slow roll call.

Mr. DONOLOW. Mr. President, I second the request for a roll call.

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, in order to keep the record straight, I will now request a verification of the roll either before or after the announcement of the roll.

Mr. MALLERY. Mr. President and Members of this Senate, every one of us should realize that we have a serious duty tonight to do what we can to raise revenues to support the government of this State.

Now it has been my observation and I cannot think of any store in my Senatorial District or anywhere that I have been that sells soft drinks only. There may be. In all of the stores that I know of where they sell soft drinks, they sell other items that are subject to the tax.

Of course, while we are about this business, it should be the concern of everyone to derive as much tax from that particular source as can be obtained. Therefore, I am in favor of this only for the reason that it has been alleged—I do not know from my own knowledge—that it will bring in a great deal more revenue. If that be the case, I think all of us should do whatever we can to bring in as much revenue as possible.

VERIFICATION OF THE ROLL

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Camel	Mahady	Ripp
DiSilvestro	McCreesh	Rooney
Donolow	McGinnis	Ruth
Hays	Miller	Sarraf
Kalman	Mullin	Seyler
Lane	Murray	Silvert
		Weiner

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger	Flack	Kromer	Stevenson
Blass	Fleming	Madigan	Taylor
Chapman	Harney	Mallery	Wade
Confair	Keller	Pechan	Wagner
Ehrgood	Kessler	Propert	Watkins
Elliott	Koprivier, Jr.	Shafer	Whalley

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. LANE and Mr. DONOLOW and were as follows, viz:

YEAS—19

Camiel,	Lane,	Mullin,	Sarraf,
DiSilvestro,	Mahady,	Murray,	Seyler,
Donolow,	McCreesh,	Ripp,	Silvert,
Hays,	McGinnis,	Rooney,	Weiner,
Kalman,	Miller,	Ruth,	

NAYS—24

Berger,	Flack,	Kromer,	Stevenson,
Blass,	Fleming,	Madigan,	Taylor,
Chapman,	Harney,	Mallery,	Wade,
Confair,	Keller,	Pechan,	Wagner,
Ehrgood,	Kessler,	Propert,	Watkins,
Elliott,	Koprivier, Jr.,	Shafer,	Whalley,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WEINER and Mr. DONOLOW and were as follows, viz:

YEAS—19

Camiel,	Lane,	Mullin,	Sarraf,
DiSilvestro,	Mahady,	Murray,	Seyler,
Donolow,	McCreesh,	Ripp,	Silvert,
Hays,	McGinnis,	Rooney,	Weiner,
Kalman,	Miller,	Ruth,	

NAYS—25

Berger,	Flack,	Kromer,	Stevenson,
Blass,	Fleming,	Madigan,	Taylor,
Chapman,	Harney,	Mallery,	Van Sant,
Confair,	Keller,	Pechan,	Wade,
Ehrgood,	Kessler,	Propert,	Wagner,
Elliott,	Koprivier, Jr.,	Shafer,	Watkins,
			Whalley,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I just want to make this one observation. The Republican Majority is cutting the budget and now they have knocked us out of \$3,000,000 in revenue.

Mr. MAHADY. Mr. President, I have heard a lot of talk here this evening about what a change or no change will do. On many occasions we make an estimate, and we do not recognize the facts. Now at one end of this bill, the Republican side of this Chamber is recognizing the facts of life. They are changing the automobile method of paying the tax. When a man sends in his license, he pays the tax with it because they know, as I know, that many people—for instance, one automobile manufacturer owes close to \$200,000 which will never be collected because they use the money that they have on hand from day to day to run their establishment and then go out of business owing the State, or being sued by the State or an effort is being made to collect. They got realistic on this, and they put in the change.

On the other side of it, they say we want to collect the pop tax from the consumer, and they are being unrealistic because they are doing the same there as they are removing in the case of the automobile manufacturer. Theoretically, they are ascertaining the income for the Commonwealth and ignoring the factual results of their change. I say throughout this sales tax, the object should be in every case to face the facts of life as you have in

the automobile situation, and not move under a theoretical figure, figured out by someone in an ivory tower with a lamp over his head, as a student would figure it out, but rather as a practical person in the everyday walk of life.

Mr. DONOLOW. Mr. President, I would just like to make one observation. My Calendar on this bill is marked "yes." However, because of the information that I just heard from Senator Lane that this Doctor Kurtzman said we are going to lose about \$3,000,000 and there was no co-operation in putting this bill over, I cannot, at this point, take a chance on voting for this bill in view of the fact of which we have been informed. I do not think Doctor Kurtzman is playing politics over the fact that he is going to be on the State payroll in October.

I cannot vote for this bill in all good conscience at this time, and I am going to mark my Calendar "no".

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. KELLER. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye".

The PRESIDENT. The gentleman will be so recorded.

Mr. BERGER. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye".

VERIFICATION OF THE ROLL

Mr. LANE. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger	Elliott	Koprivier, Jr.	Stevenson
Blass	Flack	Kromer	Taylor
Camiel	Fleming	Madigan	Van Sant
Chapman	Harney	Mallery	Wade
Confair	Keller	Pechan	Wagner
Ehrgood	Kessler	Propert	Watkins
		Shafer	Whalley

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted in the negative as follows:

DiSilvestro	McCreesh	Rooney
Donolow	McGinnis	Ruth
Hays	Miller	Sarraf
Kalman	Mullin	Seyler
Lane	Murray	Silvert
Mahady	Ripp	Weiner

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Berger,	Elliott,	Koprivier, Jr.	Stevenson,
Blass,	Flack,	Kromer,	Taylor,
Chapman,	Fleming,	Madigan,	Van Sant,
Camiel,	Harney,	Mallery,	Wade,
Confair,	Keller,	Pechan,	Wagner,
Ehrgood,	Kessler	Propert,	Watkins,
		Shafer,	Whalley,

NAYS—18

DiSilvestro,	Lane,	Miller,	Ruth,
Donolow,	Mahady,	Mullin,	Sarraf,
Hays,	McCreesh,	Murray,	Seyler,
Kalman,	McGinnis,	Ripp,	Silvert,
		Rooney,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that all bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. Berger. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 203, entitled:

An Act amending the act of June thirty, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employes; . . ." imposing certain duties on the Governor and state agency or political subdivision involved.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 296, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," increasing the compensation of jurors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 308, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the Pennsylvania State Police to charge a fee for accident investigation reports or portions thereof made available to interested persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 367, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, * * *" increasing the compensation of witnesses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and Judges of the Supreme Court, the President Judge and Judges of the Superior Court, the Judges of the courts of common pleas, the Judges of the orphans' courts, the Judges of the Municipal Court of Philadelphia and the judges of the Couty Court and Juvenile Court of Allegheny County, certain associate Judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of Judges of the Municipal Court of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 542, entitled:

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer, and quarter sessions of the peace and the municipal court of Philadelphia in counties having a population of 1,500,000 or over.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 707, entitled:

An Act amending the act of January 18, 1952 (P. L. 2159), entitled "An act creating the Pennsylvania Public Safety Commission as a commission; * * *," increasing the membership of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 727, entitled:

An Act to provide for one additional law judge of the court of common pleas in the seventh judicial district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 734, entitled:

An Act relating to tort claims against the Commonwealth waiving in part the Commonwealth's immunity from liability for certain torts providing for settlement by the Attorney General of tort claims under one thousand

dollars (\$1,000) permitting actions against the Commonwealth on larger tort claims or on appeal from the administrative process authorizing the payment of claims authorizing the Commonwealth to procure insurance against tort liability and prescribing certain other rules and limitations with regard to the administration of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 777, entitled:

An Act amending the act of April 14, 1834 (P. L. 333), entitled "An act relative to the organization of the Courts of Justice," requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 832, entitled:

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 867, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood groupings tests under certain conditions and the effect thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," regulating the fees to be charged and collected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit, without the necessity of entering liens for such claims,, and repealing existing laws," providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit, and extending the time within which actions of assumpsit may be brought to six years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 995, entitled:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police, and limiting the use of the moneys received from such contracts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure; imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes, and imposing certain costs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous, unsafe or structurally dangerous buildings or premises in cities of the first class; providing for the service or posting of notices relating to the work necessary to abate such nuisances; authorizing such cities of the first class, themselves or by contract, to abate such nuisances under certain conditions, providing for the filing of liens for the cost of such work, and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire the surface or right of soil only a tract of land in the Borough of Dunmore, County of Lackawanna, Pennsylvania for the use of the Department of Revenue, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1076, entitled:

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1175, entitled:

An Act providing, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the Commonwealth and the government of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor; providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivision providing for special emergency judges; and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1176, entitled:

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirements that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees; and substituted trustees thereof, sureties of said trustees, the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," extending the provisions thereof to include political subdivisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, * * *"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1438, entitled:

An Act amending the "Fictitious Corporate Name Act," approved July 11, 1957 (P. L. 783), repealing the requirement that certificates of registration be cancelled after five years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388), entitled, as amended, "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; . . . providing for the applicability of the act to regulations of the Department of Public Welfare, and removing from the coverage of the act, the State Welfare Commission and the State Board of Public Assistance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and

Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the term of the lien of certain municipal claims, the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to twenty years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax, * * * not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed, under certain terms and conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing that evidence of mental condition may be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers, conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1725, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey a tract of land situate in the Borough of Polk, Venango County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1730, entitled:

An Act amending "The Administrative Code of 1929," approved April 1, 1929 (P. L. 177), changing the names of state penal and correctional institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute, Philadelphia, Pa.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the sale of borough owned electric light plans and the effect thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council, 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.134 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.5 acres of land, situate in Somerset Township, Somerset County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 274

Mr. WATKINS. Mr. President, I submit the report of the Committee of Conference on House Bill No. 274, entitled:

An Act providing leaves of Absence with pay for certain

employees of the Commonwealth and of political subdivisions for purpose of attending conventions.

The PRESIDENT. The report will lie over for printing under the rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 23, 1959, at 1:00 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:56 o'clock, p. m., Eastern Standard Time, until Wednesday, September 23, 1959, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, September 22, 1959

The House met at 11:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Reverend Cedric W. Tilberg, Director of Social Missions, the Central Pennsylvania Lutheran Synod, guest Chaplain and guest of the House Chaplain, offered the following prayer:

Eternal Father, in Thy hand are the destinies of men and nations. Nothing that happens in this world is outside the range of Thy concern. Thou hast ordained government to restrain the evildoer and provide for the common welfare, and dost call men and women to serve Thee in the executive offices, the courts, and the legislature of the land. Upon those gathered in this room bestow Thy grace and strength, as they make decisions affecting the lives of multitudes of human souls. Give them clear minds, alert consciences and warm hearts. Make them sensitive to the searching reality of Thy love, so that they may keep before their eyes the faces of living people, especially people who have no strong advocate but whose need is great.

Hear our prayer, O God, not only that which we speak in words but that which is uttered in the depths of our hearts. And as Thou dost love us with a love that will not let us go, take us and use us to Thy glory and in Thy service.

Through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, September 21, 1959 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. STRAUSSER. HOUSE BILL No. 2384.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) reducing the amount of the tax which is paid into the Liquid Fuels Tax Fund and appropriated to counties.

Referred to the Committee on Rules.

By Messrs. McCANN and POLEN.

HOUSE BILL No. 2385.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the borrowing capacity of the Authority and allocating the proceeds thereof.

Referred to the Committee on Appropriations.

By Messrs. McCANN and POLEN.

HOUSE BILL No. 2386.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Referred to the Committee on Appropriations.

By Messrs. COMER and SCHWARTZ.

HOUSE BILL No. 2387.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing adoption of uniform standards and specifications for establishment, construction, reconstruction, maintenance and repair of highways, and authorizing research, planning and programming of highways.

Referred to the Committee on Highways.

By Messrs. COMER and SCHWARTZ.

HOUSE BILL No. 2388.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for present or future highway purposes.

Referred to the Committee on Highways.

By Messrs. DEVLIN, KAMYK, RIGBY and WILT.

HOUSE BILL No. 2389.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

Referred to the Committee on Rules.

By Messrs. FOERSTER, SCHUSTER, RIGBY and WILT.

HOUSE BILL No. 2390.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

Referred to the Committee on Rules.

By Messrs. LUTTY, LEONARD, RIGBY and WILT.

HOUSE BILL No. 2391.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. WORLEY.

HOUSE BILL No. 2392.

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention and requiring action by the General Assembly of 1961 in the event of approval.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY.

RESOLUTION (Not Printed)

In the House of Representatives, September 21, 1959
October 24, 1959, marks the fourteenth anniversary of the adoption of the Charter of the United Nations; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania signifies its observance of "United Nations Day" by expressing its confidence in this historic body in its efforts toward world disarmament, and by extending to the United Nations its con-

gratulations upon its accomplishments in bringing about a better understanding among nations, and its achievements in preserving world peace; and be it further

Resolved, That copies of this resolution be delivered by the sponsor to the Honorable Henry Cabot Lodge, Jr., Representative of the United States to the United Nations, and to the Honorable Dag Hammarskjöld, Secretary General.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 13.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

Referred to the Committee on Rules.

SENATE BILL No. 298.

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

Referred to the Committee on Fisheries.

SENATE BILL No. 1081.

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

Referred to the Committee on Rules.

SENATE BILL No. 1116.

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provision relating to limited licenses.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 1160.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 679, 831, 1177, 1537, 1544, 1577, 1654, 1945, 2031 and 2259.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 679, Printer's No. 175, entitled "An Act amending the act of March 26, 1925 (P. L. 83) entitled 'An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties' eliminating licenses and license fee requirements."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 831, Printer's No. 862, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' providing for the issuance of certain permits within each county."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1177, Printer's No. 1575, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and changing the time within which such notification must be given."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1537, Printer's No. 1404, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' changing provisions relating to the keeping open of schools."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1544, Printer's No. 874, entitled "An Act amending the act of April 23, 1909 (P. L. 141) entitled 'An act providing for the use of borough and township lockups and city or county prisons for the detention of prisoners arrested by sheriffs constables members of the State constabulary or other persons authorized by the laws of the Commonwealth to make arrests and entitling boroughs townships and cities to receive remuneration for the same' increasing daily compensation of certain boroughs cities and townships from the county treasury for each prisoner incarcerated."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1577, Printer's No. 1508, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicle by dealers in certain cases."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 1654, Printer's No. 1022, entitled "An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' increasing the rate of tax on use and occupancy of house trailers."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1945, Printer's No. 1215, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2031, Printer's No. 1283, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' increasing the amount of contracts in which borough officials may have no interest."

DAVID L. LAWRENCE.

September 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2259, Printer's No. 1336, entitled "An Act amending the act of June 24, 1939 (P. L. 748) entitled as amended 'The Pennsylvania Securities Act' changing the registration year and providing for registration fees."

DAVID L. LAWRENCE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

MEMBERS OF SCOUT TROOP 107, ALLENTOWN, WELCOMED

The SPEAKER. The Chair notes the presence in the Hall of the House of members of Scout Troop 107 of Allentown. The troop are accompanied by Scoutmaster Irving Wentz. Members of the Troop who are here in the House are Scouts McArthur, Uhler, Walters and West. They are the guests of the lady from Lehigh, Mrs. Markley, and of Representatives Steckel, Stimmel and Frank.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been

prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

HOUSE BILL No. 1701.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending the period for shooting on regulated shooting grounds.

HOUSE BILL No. 1797.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second third and fourth class and validating certain taxes.

HOUSE BILL No. 2094.

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for National Education.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By nuanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. MAGEE for the remainder of week.

REPORTS FROM COMMITTEE

Mr. McLAUGHLIN from the Committee on Motor Vehicles, reported as committed, House Bill No. 634, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

Mr. McLAUGHLIN from the Committee on Motor Vehicles, reported as committed, House Bill No. 1851, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), changing the provisions relating to the limitations on size of certain vehicles.

Mr. McLAUGHLIN from the Committee on Motor Vehicles, reported as committed, House Bill No. 1852, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment, and fixing fees for such permits.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and

convey 623 acres more or less of land situate in the city of Erie, County of Erie.

Mr. GAILEY from the Committee on Education, reported as committed, House Bill No. 2183, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the change of supervisors of agricultural education and supervisors of homemaking education from employes of the Commonwealth to employes of the counties.

Mr. OGILVIE from the Committee on Military Affairs, reported as committed, House Bill No. 2212, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the purchase of Wings Field, Ambler, Pennsylvania, jointly with the County of Montgomery.

Mr. ROVANSEEEK from the Committee on Education, reported as committed, House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

Mr. RENWICK from the Committee on Motor Vehicles, reported as amended, House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code," repealing provisions for annual registration fees based on chassis weights, adding a schedule of fees for certain vehicles, repealing provisions for maximum gross weights based on chassis weights, changing penalties for violation of maximum gross weight provisions, and making editorial corrections.

Mr. FILO from the Committee on Motor Vehicles, reported as amended, House Bill No. 2348, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for a space for the placing of blood type on operator's license card.

Mrs. B. Z. MILLER from the Committee on Professional Licensure, re-reported as amended, House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) changing standards and qualifications for hospitals in which interns may train.

Mr. EILBERG from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 390, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs.

Mr. GELFAND from the Committee on Judiciary, reported as committed, Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

Mr. CROSSIN from the Committee on Military Affairs, reported as committed, Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating

the expenditures of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

Mr. YETTER from the Committee on Highways, reported as committed, Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

Mr. HORST from the Committee on Townships, reported as committed, Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 634, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1851, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), changing the provisions relating to the limitations on size of certain vehicles.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1852, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment, and fixing fees for such permits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 623 acres more or less of land situate in the city of Erie, County of Erie.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2183, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the change of supervisors of agricultural education and supervisors of homemaking education from employes of the Commonwealth to employes of the counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2212, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the purchase of Wings Field, Ambler, Pennsylvania, jointly with the County of Montgomery.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2371, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teacher with thirty-five or more years of service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 390, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell convey real property situate in the Township of East Saint Clair Bedford County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MULDOWNEY asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I request permission of the House to notify them of our schedule for today, and our tentative working hours.

We would like to have permission to work until the hour of—this is Daylight Saving Time—between 1:30 and 2:00 o'clock, at which time we would stop, break for lunch and a caucus.

We are going to request permission to work on the calendar from the back end of the calendar, those bills which have been caucused on yesterday and hoping that after lunch when we have completed our caucus we will have caucused and be able to act on all bills on the final passage and third reading calendar hoping to finish by 7:00 or 7:30 this evening.

Mr. A. W. JOHNSON. Mr. Speaker, I first want to make a statement and then I would like to interrogate the Majority Leader.

With respect to a luncheon-caucus on the Republican side, we have pretty well covered the third reading calendar, but there are a number of bills that were on second reading yesterday that are now on third. I believe when we return from lunch we will only need to caucus about 15 minutes. Probably we will want a half-hour at least, so I believe we on the Republican side should caucus, and we would therefore, if you are calling a one-hour lunch period at 1:30 approximately, we

would say have lunch for 45 minutes and caucus for 15 minutes.

Now I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker if we were to work real hard today and clear this calendar pretty well and, as you say be here until 7 or 7:30 tonight, is there any likelihood that we could recess and not be here tomorrow? I think a lot of the Members would like that very much.

Mr. McCANN. Mr. Speaker, I am going to answer the question and yet I am not going to try to cut off any debate.

If, following the caucus we have pretty well cleared the final passage and third reading calendar I am going to request a consent day tomorrow to move up the bills on the calendar that are on second reading and also reported from the Committee so that they would be in a position to be caucused on by the two parties on Monday, and pretty well start to dry up the calendar except for Senate Bills.

With that though in mind, I certainly hope that you will at this stage consent to that move. The leadership would have to be here and the Members could go home.

Mr. A. W. JOHNSON. Mr. Speaker, in answer to the suggestion that we go back to a consent calendar, that would have to be submitted to our caucus and I will give you our decision on that after we come back.

Mr. McCANN. Mr. Speaker, could I clear one point?

The SPEAKER. The Chair should be heard in response to the gentleman from McKean, that perhaps in the matter of a consent calendar the Chair might also desire to be consulted.

Mr. A. W. JOHNSON. Mr. Speaker, that is a point well taken. I know I will go before our caucus and go solidly against the idea of a consent calendar. I think we are getting along fine by all being here and it certainly is a bad situation when you are moving bills here with just a handful of Members on the floor. I do not know how our caucus will react to it, but I am just giving you my personal feeling about the matter.

Mr. McCANN. If that is going to be the decision, Mr. Speaker, we will be here, ready to operate.

CONSENT TO CALL BILLS OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call bills from the calendar out of order.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 32), entitled "An act requiring that meeting of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public," requiring public notice of such meetings and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate Bill No. 1084, the

first bill we are acting on today is a change to the so-called "Right-to-know" open meeting law in which Judge Mook of Crawford county found objections to the law and set aside this particular provision as a defect in the title of the law. Senate Bill 1084, Printer's No. 1343, would correct that situation. I ask that all the Members vote favorably in support of this legislation.

Mr. TOMPKINS. Mr. Speaker, I would like to call to the attention of the Members of the House the fact that, in addition to correcting the title, his bill also provides that notices of special meetings must be posted for 24 hours instead of 12, which in some instances could cause a considerable amount of difficulty.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Agnew,	Frank,	McCann,	Renwick,
Anderson,	Frascella,	McDonald,	Rigby,
Arlene,	Fulmer,	McInroy,	Riley,
Auker,	Galley,	McKeever,	Rovanssek,
Balthaser,	Gallagher,	McLaughlin,	Royer,
Barton,	Garlock,	Machmer,	Sakulsky,
Boies,	Gelfand,	Mahan,	Schuster,
Bower,	George,	Markley,	Schwartz,
Branca,	Gibb,	Maxwell,	Seltzer,
Brenninger,	Goldstein,	Meholchick,	Sherman,
Breth,	Goodrich,	Merry,	Shupnik,
Burns,	Gramlich,	Miller, B. Z.,	Snare,
Capano,	Guthrie,	Miller, H. G.,	Snider,
Capitolo,	Hamilton,	Monroe,	Stank,
Cianfrani,	Heffner,	Muldowney,	Steckel,
Cioffi,	Helm,	Mullen,	Stevens,
Clarke,	Henzel,	Munley,	Stewart,
Comer,	Hocker,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Holliday,	Murphy, P. J.,	Stone,
Curwood,	Holt,	Murray, H. P.,	Sullivan,
Davis,	Horst,	Murray, J. J.,	Taylor,
Dennis,	Irvie,	Murray, P. G.,	Tompkins,
Dennison,	Jenkins,	Musto,	Trusio,
Devlin,	Jim,	Naugle,	Varallo,
Donahue,	Johnson, A. W.,	Needham,	Verona,
Donaldson,	Johnson, R.,	O'Donnell, J. A.,	Wall,
Dougherty,	Jones, F. R.,	O'Donnell, J. P.,	Walsh,
Down,	Jones, T. H. W.,	Ogilvie,	Wargo,
Edwards,	Jump,	O'Neill,	Weidner,
Ellberg,	Kamyk,	Parlante,	Wheeler,
Eshback,	Keiser,	Pashley,	Whittaker,
Eshleman,	Kessler,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Kooker,	Perry, P. E.,	Willard,
Farabaugh,	Kornick,	Petrosky,	Willaredt,
Fetterolf,	Kubitsky,	Polaski,	Wilt,
Filo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Leonard,	Prendergast,	Worley,
Floyd,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker

NAYS—15

Ashton,	Brown,	Kernaghan,	O'Dell,
Bell,	Dengler,	Knecht,	Odorisio,
Blair,	Isaacs,	Korns,	Schaaf,
Boris,	Kee,	Lippincott,	

NOT VOTING—30

Bonner,	Lee, K. B.,	Moran,	Thompson,
Bowman,	Light,	Nelson,	Ujobal,
Buchanan,	Limper,	Rudisill,	Varnier,
Cooper,	McCormack,	Scarcell,	Welsh,
Heavey,	Magee,	Silverman,	Wescott,
Kovolenko,	Mihm,	Stoner,	Williams, E. S.,
Lamb,	Mills,	Strausser,	Wynd,
		Stroup,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Foerster,	Lopresti,	Reibman,
Anderson,	Fox,	Luigard,	Reidenbach,
Arlene,	Frank,	Lutty,	Renwick,
Ashton,	Frascella,	McCandless,	Rigby,
Auker,	Fulmer,	McCann,	Riley,
Balthaser,	Galley,	McDonald,	Rovansek,
Barton,	Gallagher,	McInroy,	Royer,
Bell,	Garlock,	McKeever,	Sakulsky,
Blair,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Boris,	Gibb,	Mahan,	Schwartz,
Bower,	Goldstein,	Markley,	Seltzer,
Branca,	Goodrich,	Maxwell,	Sherman,
Brenninger,	Gramlich,	Meholchick,	Shupnik,
Breth,	Guthrie,	Merry,	Snare,
Brown,	Hamilton,	Miller, B. Z.,	Snider,
Burns,	Hefner,	Miller, H. G.,	Stank,
Capano,	Helm,	Monroe,	Steckel,
Capitolo,	Henzel,	Muldowney,	Stevens,
Cianfrani,	Hocker,	Mullen,	Stewart,
Cioffi,	Holliday,	Munley,	Stimmel,
Clarke,	Holt,	Murphy, A. J., Jr.	Stone,
Comer,	Horst,	Murphy, P. J.,	Sullivan,
Crossin,	Irvis,	Murray, H. P.,	Taylor,
Curwood,	Isaacs,	Murray, J. J.,	Tompkins,
Davis,	Jenkins,	Murray, P. G.,	Trusio,
Dengler,	Jim,	Musto,	Varallo,
Dennis,	Johnson, A. W.,	Naugle,	Verona,
Dennison,	Johnson, R.,	Needham,	Wall,
Devlin,	Jones, F. R.,	O'Dell,	Walsh,
Donahue,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Donaldson,	Jump,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kamyk,	Odoriso,	Wheeler,
Down,	Kee,	Ogilvie,	Whittaker,
Edwards,	Kelser,	O'Neil,	Williams, A. D., Jr.,
Eilberg,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Pashley,	Willaredt,
Eshleman,	Knecht,	Perry, H. H.,	Wilt,
Ewing,	Kooker,	Perry, P. E.,	Wood,
Farabaugh,	Kornick,	Petrosky,	Worley,
Fetterolf,	Korns,	Polaski,	Yetter,
Filo,	Kubitsky,	Polen,	Zimmerman,
Fineman,	Lee, A. M.,	Prendergast,	
Floyd,	Leonard,	Price,	
Flynn,	Lippincott,	Pursley,	Andrews,
			Speaker

NAYS—0

NOT VOTING—30

Bonner,	Lee, K. B.,	Moran,	Thompson,
Bowman,	Light,	Nelson,	Ujobai,
Buchanan,	Limper,	Rudisill,	Varnier,
Cooper,	McCormack,	Scarcelli,	Welsh,
Heavey,	Magee,	Silverman,	Wescott,
Kovolenko,	Mihm,	Stoner,	Williams, E. S.,
Lamb,	Mills,	Strausser,	Wynd,
		Stroup,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employes of school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Foerster,	Lopresti,	Reibman,
Anderson,	Fox,	Luigard,	Reidenbach,
Arlene,	Frank,	Lutty,	Renwick,
Ashton,	Frascella,	McCandless,	Rigby,
Auker,	Fulmer,	McCann,	Riley,
Balthaser,	Galley,	McDonald,	Rovansek,
Barton,	Gallagher,	McInroy,	Royer,
Bell,	Garlock,	McKeever,	Sakulsky,
Blair,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Boris,	Gibb,	Mahan,	Schwartz,
Bower,	Goldstein,	Markley,	Seltzer,
Branca,	Goodrich,	Maxwell,	Sherman,
Brenninger,	Gramlich,	Meholchick,	Shupnik,
Breth,	Guthrie,	Merry,	Snare,
Brown,	Hamilton,	Miller, B. Z.,	Snider,
Burns,	Hefner,	Miller, H. G.,	Stank,
Capano,	Helm,	Monroe,	Steckel,
Capitolo,	Henzel,	Muldowney,	Stevens,
Cianfrani,	Hocker,	Mullen,	Stewart,
Cioffi,	Holliday,	Munley,	Stimmel,
Clarke,	Holt,	Murphy, A. J., Jr.	Stone,
Comer,	Horst,	Murphy, P. J.,	Sullivan,
Crossin,	Irvis,	Murray, H. P.,	Taylor,
Curwood,	Isaacs,	Murray, J. J.,	Tompkins,
Davis,	Jenkins,	Murray, P. G.,	Trusio,
Dengler,	Jim,	Musto,	Varallo,
Dennis,	Johnson, A. W.,	Naugle,	Verona,
Dennison,	Johnson, R.,	Needham,	Wall,
Devlin,	Jones, F. R.,	O'Dell,	Walsh,
Donahue,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Donaldson,	Jump,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kamyk,	Odoriso,	Wheeler,
Down,	Kee,	Ogilvie,	Whittaker,
Edwards,	Kelser,	O'Neil,	Williams, A. D., Jr.,
Eilberg,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Pashley,	Willaredt,
Eshleman,	Knecht,	Perry, H. H.,	Wilt,
Ewing,	Kooker,	Perry, P. E.,	Wood,
Farabaugh,	Kornick,	Petrosky,	Worley,
Fetterolf,	Korns,	Polaski,	Yetter,
Filo,	Kubitsky,	Polen,	Zimmerman,
Fineman,	Lee, A. M.,	Prendergast,	
Floyd,	Leonard,	Price,	Andrews,
Flynn,	Lippincott,	Pursley,	Speaker

NAYS—0

NOT VOTING—30

Bonner,	Light,	Rudisill,	Ujobai,
Bowman,	Limper,	Scarcelli,	Varnier,
Buchanan,	McCormack,	Silverman,	Welsh,
Cooper,	Magee,	Stoner,	Wescott,
Heavey,	Mihm,	Strausser,	Williams, E. S.,
Kovolenko,	Mills,	Stroup,	Wynd,
Lamb,	Moran,	Thompson,	Yatron,
Lee, K. B.,	Nelson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Foerster,	Lopresti,	Reibman,
Anderson,	Fox,	Luigard,	Reidenbach,
Arlene,	Frank,	Lutty,	Renwick,
Ashton,	Frascella,	McCandless,	Rigby,
Auker,	Fulmer,	McCann,	Riley,
Balthaser,	Galley,	McDonald,	Rovansek,
Barton,	Gallagher,	McInroy,	Royer,
Bell,	Garlock,	McKeever,	Sakulsky,
Blair,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Boris,	Gibb,	Mahan,	Schwartz,
Bower,	Goldstein,	Markley,	Seltzer,
Branca,	Goodrich,	Maxwell,	Sherman,
Brenninger,	Gramlich,	Meholchick,	Shupnik,
Breth,	Guthrie,	Merry,	Snider,
Brown,	Hamilton,	Miller, B. Z.,	Snare,
Burns,	Heffner,	Miller, H. G.,	Stank,
Capano,	Helm,	Monroe,	Steckel,
Capitolo,	Henzel,	Muldowney,	Stevens,
Cianfrani,	Hocker,	Mullen,	Stewart,
Cioffi,	Holliday,	Munley,	Stimmel,
Clarke,	Holt,	Murphy, A. J., Jr.	Stone,
Comer,	Horst,	Murphy, P. J.,	Sullivan,
Crossin,	Irvins,	Murray, H. P.,	Taylor,
Curwood,	Isaacs,	Murray, J. J.,	Tompkins,
Davis,	Jenkins,	Murray, P. G.,	Trusio,
Dengler,	Jim,	Musto,	Varallo,
Dennis,	Johnson, A. W.,	Naugle,	Verona,
Dennison,	Johnson, R.,	Needham,	Wall,
Devlin,	Jones, F. R.,	O'Dell,	Walsh,
Donahue,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Donaldson,	Jump,	O'Donnell, J. P.	Weidner,
Dougherty,	Kamyk,	Odorisio,	Wheeler,
Down,	Kee,	Ogilvie,	Whittaker,
Edwards,	Keiser,	O'Neil,	Williams, A.D., Jr.,
Ellberg,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Pashley,	Willaredt,
Eshleman,	Knecht,	Perry, H. H.,	Wilt,
Ewing,	Kooker,	Perry, P. E.,	Wood,
Farabaugh,	Kornick,	Petrosky,	Worley,
Fetterolf,	Korna,	Polaski,	Yetter,
Filo,	Kubitsky,	Polen,	Zimmerman,
Fineman,	Lee, A. M.,	Prendergast,	
Floyd,	Leonard,	Price,	Andrews,
Flynn,	Lippincott,	Pursley,	Speaker

NAYS—0

NOT VOTING—30

Bonner,	Light,	Rudisill,	Ujobal,
Bowman,	Limper,	Scarcelll,	Varnar,
Buchanan,	McCormack,	Silverman,	Welsh,
Cooper,	Magee,	Stoner,	Wescott,
Heavey,	Mihm,	Strausser,	Williams, E. S.,
Kovolenko,	Mills,	Stroup,	Wynd,
Lamb,	Moran,	Thompson,	Yatron,
Lee, K. B.,	Nelson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 713, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" increasing the per diem payments and traveling allowance of delegates to conventions of county associations of townships officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Foerster,	Lopresti,	Reibman,
Anderson,	Fox,	Luigard,	Reidenbach,
Arlene,	Frank,	Lutty,	Renwick,
Ashton,	Frascella,	McCandless,	Rigby,
Auker,	Fulmer,	McCann,	Riley,
Balthaser,	Galley,	McDonald,	Rovansek,
Barton,	Gallagher,	McInroy,	Royer,
Bell,	Garlock,	McKeever,	Sakulsky,
Blair,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Boris,	Gibb,	Mahan,	Schwartz,
Bower,	Goldstein,	Markley,	Seltzer,
Branca,	Goodrich,	Maxwell,	Sherman,
Brenninger,	Gramlich,	Meholchick,	Shupnik,
Breth,	Guthrie,	Merry,	Snare,
Brown,	Hamilton,	Miller, B. Z.,	Snider,
Burns,	Heffner,	Miller, H. G.,	Stank,
Capano,	Helm,	Monroe,	Steckel,
Capitolo,	Henzel,	Muldowney,	Stevens,
Cianfrani,	Hocker,	Mullen,	Stewart,
Cioffi,	Holliday,	Munley,	Stimmel,
Clarke,	Holt,	Murphy, P. J.,	Stone,
Comer,	Horst,	Murphy, A. J., Jr.	Sullivan,
Crossin,	Irvins,	Murray, H. P.,	Taylor,
Curwood,	Isaacs,	Murray, J. J.,	Tompkins,
Davis,	Jenkins,	Murray, P. G.,	Trusio,
Dengler,	Jim,	Musto,	Varallo,
Dennis,	Johnson, A. W.,	Naugle,	Verona,
Dennison,	Johnson, R.,	Needham,	Wall,
Devlin,	Jones, F. R.,	O'Dell,	Walsh,
Donahue,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Donaldson,	Jump,	O'Donnell, J. P.	Weidner,
Dougherty,	Kamyk,	Odorisio,	Wheeler,
Down,	Kee,	Ogilvie,	Whittaker,
Edwards,	Keiser,	O'Neil,	Williams, A.D., Jr.,
Ellberg,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Pashley,	Willaredt,
Eshleman,	Knecht,	Perry, H. H.,	Wilt,
Ewing,	Kooker,	Perry, P. E.,	Wood,
Farabaugh,	Kornick,	Petrosky,	Worley,
Fetterolf,	Korna,	Polaski,	Yetter,
Filo,	Kubitsky,	Polen,	Zimmerman,
Fineman,	Lee, A. M.,	Prendergast,	
Floyd,	Leonard,	Price,	Andrews,
Flynn,	Lippincott,	Pursley,	Speaker

NAYS—0

NOT VOTING—30

Bonner,	Light,	Rudisill,	Ujobal,
Bowman,	Limper,	Scarcelll,	Varnar,
Buchanan,	McCormack,	Silverman,	Welsh,
Cooper,	Magee,	Stoner,	Wescott,
Heavey,	Mihm,	Strausser,	Williams, E. S.,
Kovolenko,	Mills,	Stroup,	Wynd,
Lamb,	Moran,	Thompson,	Yatron,
Lee, K. B.,	Nelson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943 (P. L. 49) entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Foerster,	Lopresti,	Pursley,
Anderson,	Fox,	Luigard,	Reibman,
Arlene,	Frank,	Lutty,	Reidenbach,
Ashton,	Frascella,	McCandless,	Renwick,
Auker,	Fulmer,	McCann,	Rigby,
Balthaser,	Galley,	McDonald,	Riley,
Barton,	Gallagher,	McInroy,	Rovanssek,
Bell,	Garlock,	McKeever,	Royer,
Blair,	Gelfand,	McLaughlin,	Sakulsky,
Boles,	George,	Machmer,	Schaaf,
Boris,	Gibb,	Magee,	Schuster,
Bower,	Goldstein,	Mahan,	Schwartz,
Branca,	Goodrich,	Markley,	Seltzer,
Brenninger,	Gramlich,	Maxwell,	Sherman,
Breth,	Guthrie,	Meholchick,	Shupnik,
Brown,	Hamilton,	Merry,	Snare,
Burns,	Heffner,	Miller, B. Z.,	Snider,
Capano,	Helm,	Miller, H. G.,	Stank,
Capitolo,	Henzel,	Monroe,	Steckel,
Cianfrani,	Hocker,	Muldowney,	Stevens,
Cioffi,	Holliday,	Mullen,	Stewart,
Clarke,	Holt,	Munley,	Stimmel,
Comer,	Horst,	Murphy, A. J., Jr.,	Stone,
Crossin,	Irvis,	Murphy, P. J.,	Sullivan,
Curwood,	Isaacs,	Murray, H. P.,	Taylor,
Davis,	Jenkins,	Murray, J. J.,	Tompkins,
Dengler,	Jim,	Murray, P. G.,	Trusio,
Dennis,	Johnson, A. W.,	Musto,	Varallo,
Dennison,	Johnson, R.,	Naugle,	Verona,
Devlin,	Jones, F. E.,	Needham,	Wall,
Donahue,	Jones, T. H. W.,	O'Dell,	Walsh,
Donaldson,	Jump,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kamyk,	O'Donnell, J. P.,	Weidner,
Down,	Kee,	Odorisio,	Wheeler,
Edwards,	Keiser,	Ogilvie,	Whittaker,
Ellberg,	Kernaghan,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Knecht,	Parlante,	Williams, E. S.,
Eshleman,	Kessler,	Pashley,	Willard,
Ewing,	Kooker,	Perry, H. H.,	Willaredt,
Farabaugh,	Kornick,	Perry, P. E.,	Wilt,
Fetterolf,	Korns,	Petrosky,	Wood,
Filo,	Kubitsky,	Polaski,	Worley,
Fineman,	Lee, A. M.,	Polen,	Yetter,
Floyd,	Leonard,	Prendergast,	Zimmerman,
Flynn,	Lippincott,	Price,	Andrews,
			Speaker

NAYS—0

NOT VOTING—29

Bonner,	Light,	Rudisill,	Ujobai,
Bowman,	Limper,	Scarcelli,	Varner,
Buchanan,	McCormack,	Silverman,	Welsh,
Cooper,	Mihm,	Stoner,	Westcott,
Heavey,	Mills,	Strausser,	Williams, E. S.,
Kovolenko,	Moran,	Stroup,	Wynd,
Lamb,	Nelson,	Thompson,	Yatron,
Lee, K. B.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 650, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Agnew,	Fox,	Luigard,	Reibman,
Anderson,	Frank,	Lutty,	Reidenbach,
Arlene,	Frascella,	McCandless,	Renwick,
Ashton,	Fulmer,	McCann,	Rigby,
Auker,	Galley,	McDonald,	Riley,
Balthaser,	Gallagher,	McInroy,	Rovanssek,
Barton,	Garlock,	McKeever,	Royer,
Bell,	Gelfand,	McLaughlin,	Sakulsky,
Blair,	George,	Machmer,	Schaaf,
Boles,	Gibb,	Magee,	Schuster,
Boris,	Goldstein,	Mahan,	Schwartz,
Bower,	Goodrich,	Markley,	Seltzer,
Branca,	Gramlich,	Maxwell,	Sherman,
Brenninger,	Guthrie,	Meholchick,	Shupnik,
Breth,	Hamilton,	Merry,	Snare,
Brown,	Heffner,	Miller, B. Z.,	Snider,
Burns,	Helm,	Miller, H. G.,	Stank,
Capano,	Henzel,	Monroe,	Steckel,
Capitolo,	Holliday,	Muldowney,	Stevens,
Cianfrani,	Holt,	Mullen,	Stewart,
Cioffi,	Horst,	Munley,	Stimmel,
Clarke,	Irvis,	Murphy, A. J., Jr.,	Stone,
Comer,	Isaacs,	Murphy, P. J.,	Sullivan,
Crossin,	Jenkins,	Murray, H. P.,	Taylor,
Curwood,	Jim,	Murray, J. J.,	Tompkins,
Davis,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Dengler,	Johnson, R.,	Musto,	Varallo,
Dennis,	Jones, F. R.,	Naugle,	Verona,
Dennison,	Jones, T. H. W.,	Needham,	Wall,
Devlin,	Jump,	O'Dell,	Walsh,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kee,	O'Donnell, J. P.,	Weidner,
Dougherty,	Keiser,	Odorisio,	Wheeler,
Down,	Kernaghan,	Ogilvie,	Whittaker,
Edwards,	Kessler,	O'Neil,	Williams, A. D., Jr.,
Ellberg,	Knecht,	Parlante,	Williams, E. S.,
Eshback,	Kooker,	Pashley,	Willard,
Eshleman,	Kornick,	Perry, P. E.,	Willaredt,
Ewing,	Korns,	Perry, H. H.,	Wilt,
Farabaugh,	Kubitsky,	Petrosky,	Wood,
Fetterolf,	Lee, A. M.,	Polaski,	Worley,
Filo,	Lee, K. B.,	Polen,	Yetter,
Fineman,	Leonard,	Prendergast,	Zimmerman,
Floyd,	Lippincott,	Price,	Andrews,
Flynn,	Lopresti,	Pursley,	Speaker
Foerster,			

NAYS—1

Hocker,

NOT VOTING—27

Bonner,	Light,	Rudisill,	Ujobai,
Bowman,	Limper,	Scarcelli,	Varner,
Buchanan,	McCormack,	Silverman,	Welsh,
Cooper,	Mihm,	Stoner,	Westcott,
Heavey,	Mills,	Strausser,	Wynd,
Kovolenko,	Moran,	Stroup,	Yatron,
Lamb,	Nelson,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 598, entitled:

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

Anderson,	Flynn,	Lopresti,	Renwick,
Arlene,	Foerster,	Luigard,	Rigby,
Auker,	Fox,	Lutty,	Riley,
Balthaser,	Frank,	McCandless,	Rovanssek,
Barton,	Frascella,	McCann,	Sakulsky,
Blair,	Fulmer,	McDonald,	Schaaf,
Boles,	Galley,	McKeever,	Schuster,
Bonner,	Gallagher,	McLaughlin,	Schwartz,
Boris,	Garlock,	Machmer,	Seltzer,
Bower,	Gelfand,	Magee,	Sherman,
Branca,	George,	Markley,	Shupnik,
Brenninger,	Goldstein,	Maxwell,	Snare,
Breth,	Guthrie,	Meholchick,	Snider,
Burns,	Hamilton,	Monroe,	Stank,
Capano,	Heffner,	Muldowney,	Steckel,
Capitolo,	Helm,	Mullen,	Stevens,
Cianfrani,	Henzel,	Munley,	Stewart,
Cioffi,	Hocker,	Murphy, P. J.,	Stimmel,
Clarke,	Holt,	Murray, H. P.,	Stone,
Comer,	Irvis,	Murray, J. J.,	Sullivan,
Crossin,	Jenkins,	Musto,	Taylor,
Curwood,	Jim,	Naugle,	Tompkins,
Dengler,	Johnson, R.,	Needham,	Trusio,
Dennis,	Jones, F. R.,	O'Dell,	Varallo,
Dennison,	Jones, T. H. W.,	O'Donnell, J. A.,	Varner,
Devlin,	Jump,	O'Donnell, J. P.,	Verona,
Donaldson,	Kamyk,	O'Neil,	Wall,
Dougherty,	Kee,	Parlante,	Wargo,
Edwards,	Kelser,	Pashley,	Wheeler,
Ellberg,	Kernaghan,	Perry, H. H.,	Whittaker,
Eshback,	Kessler,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Knecht,	Petrosky,	Willaredt,
Ewing,	Kornick,	Polaski,	Yetter,
Farabaugh,	Korns,	Polen,	Zimmerman,
Fetterolf,	Kubitsky,	Prendergast,	
Filo,	Lee, A. M.,	Price,	
Fineman,	Leonard,	Reibman,	
Floyd,	Lippincott,	Reidenbach,	Andrews, Speaker

NAYS—34

Agnew,	Gramlich,	Merry,	Royer,
Ashton,	Holliday,	Miller, B. Z.,	Walsh,
Bell,	Horst,	Miller, H. G.,	Weidner,
Brown,	Isaacs,	Murphy, A. J., Jr.,	Williams, A.D., Jr.,
Davis,	Johnson, A. W.,	Murray, P. G.,	Willard,
Donahue,	Kooker,	Odoristo,	Wilt,
Down,	Lee, K. B.,	Ogilvie,	Wood,
Gibb,	McInroy,	Pursley,	Worley,
Goodrich,	Mahan,		

NOT VOTING—25

Bowman,	Limper,	Rudisill,	Thompson,
Buchanan,	McCormack,	Scarcelll,	Ujobal,
Cooper,	Mihm,	Silverman,	Welsh,
Heavey,	Mills,	Stoner,	Wescott,
Kovolenko,	Moran,	Strausser,	Wynd,
Lamb,	Nelson,	Stroup,	Yatron,
Light,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. LOPRESTI IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 429, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," further providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptance and bills of exchange.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHERMAN. Mr. Speaker, I would like to briefly debate this bill.

As far as I understand, there are seven mutual savings banks in the state of Pennsylvania, four of which are located in our city of Philadelphia. I rise to oppose this bill on the theory and ground that mutual savings banks of this state are in a different position than either federal savings and loan or our commercial banks of the state. Our mutual savings banks represent the deposits of so-called penny-ante depositors, or our poor people, who from the time they first came over to this country until the present time have maintained their savings in those banks with one idea in mind and that is that their deposits would be safe, and I say safe, safer than anywhere else, and also that any investments made by banks will be in a conservative manner.

This bill authorizes these savings banks to invest up to 80 percent of the appraised value of real estate with their funds and I feel sincerely that when you go to a point of 80 percent instead of 66 2/3 percent, as it is presently assessed, you are raising the amount too much and are going from a conservative to a gambling investment. When it is 80 percent of the appraised value you are going to approximately 100 percent. You are endangering the savings of those banks and endangering the deposits made by the depositors who believe that those banks should operate in a conservative manner. For that reason I appeal to you to vote against this bill.

Mr. GELFAND. Mr. Speaker, I rise to oppose this bill because I believe this is the injection of a conservative savings institution into a field of risky ventures.

What we do here by this bill is raise the amount to which a bank can lend on real estate. We raise the amount from 66 2/3 percent of the appraised value of the real estate to 80 percent of the appraised value of the real estate. And, mind you, this is with a mutual savings institution which was created to be a conservative type of saving institution. What we do now is put them into a field where they are actually, as Mr. Sherman said, gambling with their depositors' money.

If you view the history of savings institutions from the time of the depression you will learn that during that period, the period from 1926 to 1929, one of the prime factors causing the depression was the risky investments which the banks at that time were making in real estate. They had gradually increased from a situation where they were lending on approximately 50 percent of the appraised value of real estate all the way up to 100 percent

of the appraised value of real estate. As a matter of information, what we did after the depression was to go back to a more conservative type of institution, which was protected by the FDIC and other insurance functions established by the Federal government in order to protect and add additional safeguards to those people depositing in those savings institutions. But in order to further assure the protection of the depositors' money, what we did was limit the bank in the extent to which it can invest in mortgage loans, and we established 66 2/3 percent as being a safe figure. Gradually we find not only this type of bank but all banks are tending to creep up where they are now trying to get to 80 percent of the appraised value of real estate. Now 80 percent of the appraised value of real estate may in some savings institutions be perfectly safe, though in my mind it was always a risky amount. However, for this type of institution I think we are going much, much too far.

I know there is a limited number of this type of institution, but as a matter of information, these institutions were not created as commercial ventures. They were created in order to allow a small depositor to have a safe place to put his money. What we do here is endeavor to put this type of institution into competition with other types of institutions—commercial banks, Federal Savings and Loan institutions, building and loan institutions—and into a type of activity in which they were not meant to be.

I would suggest that we consider this bill seriously because what we might be doing is moving forward into a field which would lead to the same type of situation we had during the period 1929 to 1932, and I doubt very much if any of us would like to see that occur again.

I strongly request that everybody in this House vote against this legislation because it is only a detriment to our Commonwealth.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Gelfand.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GELFAND. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does not this bill limit the mortgage loans to homes only and specifically rule out mortgage investments in manufacturing or commercial establishments?

Mr. GELFAND. Yes, it does, Mr. Speaker.

Mr. TOMPKINS. Does not this bill also limit the amount of the investment at an 80 percent appraised value to 25 percent of their total mortgage folio?

Mr. GELFAND. Yes, it does, Mr. Speaker.

Mr. TOMPKINS. Are not all these mutual savings banks members of the Federal Deposit Insurance Corporation?

Mr. GELFAND. I would say that they are, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, with that interrogation I hope I have clarified that this is not opening the doors to the extent the previous two speakers have tried to indicate, that there are limitations on the amount of the investment they can make, there are limitations on the type of investment they can make, and they are members of the Federal Deposit Insurance Corporation which still gives protection to the depositors, which is the thing that not only I am interested in but that they are

interested in and the thing in which we are all interested.

If these mutual savings banks are going to be able to move forward with the times, and if they are going to be able to earn enough money to maintain their funds the way they should for the benefit of their depositors, some liberalization must be made. We feel that this is a good bill.

Mr. GELFAND. Mr. Speaker, I will admit that what Mr. Tompkins says is to some extent accurate. There is a limitation to the extent that the bank cannot invest more than 25 percent of certain of its assets in this type of investment. However, the mere fact that you have a pot which you can fall back on as reserves does not necessarily mean that you should invest in gambling or risky ventures. Eighty percent of the appraised value of this real estate is a risky venture because in times of stress and at times when you might have to foreclose on a loan, 80 percent is rarely ever received on a foreclosure or emergency sale.

I would also point out that it is 80 percent of the appraised value as the bank sees it. Now if anybody is acquainted with mortgages, mortgage investments and real estate he would soon learn that 80 percent is a variable factor and that oftentimes 80 percent approaches the full value of the piece of real estate. So I say again that though there are reserves, that these banks do belong to the FDIC, so their depositors are insured up to \$10,000, I still believe that in general and the total overall picture this places this type of institution in a position where it becomes a risky type of venture insofar as real estate is concerned. For the sake of the depositor and for the protection of the depositors' fund, I would suggest that we retain 66 2/3, which we presently have.

Also, as a matter of information, I can refer to other legislation that has been introduced in this House which deals with commercial banks, and which legislation has passed the other body and in which they provide only up to 75 percent for commercial banks, which are interested by far in a more risky type of venture, and which have been created for the type of venture which we are now trying to put the mutual banks into.

I would suggest that we consider this fully and also realize what we attempt to do. After we do that I am sure that we will vote against this bill because it is not good for this Commonwealth, nor is it good for any other Commonwealth.

Mr. A. M. LEE. Mr. Speaker, I speak just briefly in behalf of this bill.

I feel the gentleman from Cameron has covered very thoroughly the main points involved in it. The mutual savings banks are in competition with the savings and loan associations which also lend in the mortgage field. Those associations now may go to 80 and in some instances 90 percent. The raising of the limit in a limited way for these mutual savings banks merely enables those banks to better serve their own depositors by providing them with mortgage financing for homes they wish to buy.

I would just like to point out that the 66 2/3 percent limitation was adopted at a time when the loans which were made were what we call term mortgages, meaning that there was no amortization of the principal. Under the present provision they must be made in amortizing loans; that is, the principal must be reduced year by

year so that when we get out of the first five or six years the mortgage will be down to the 75 or 70 percent level and any danger there might be in the situation will probably be well behind.

I would also like to point out that similar legislation to Senate Bill 429 has been adopted in a number of other states, including the large states of New Jersey, New York, Massachusetts and many others in our immediate vicinity.

I urge all the Members to support this bill. I feel it is a good piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Agnew,	Frascella,	Luigard,	Reidenbach,
Anderson,	Fulmer,	Lutty,	Renwick,
Arlene,	Galley,	McCandless,	Rigby,
Ashton,	Gallagher,	McCann,	Riley,
Auker,	Garlock,	McDonald,	Royer,
Balthaser,	George,	McInroy,	Sakulsky,
Barton,	Gibb,	McKeever,	Schuster,
Bell,	Goldstein,	McLaughlin,	Schwartz,
Blair,	Goodrich,	Magee,	Seltzer,
Boles,	Gramlich,	Mahan,	Shupnik,
Boris,	Guthrie,	Markley,	Snare,
Bower,	Hamilton,	Maxwell,	Snider,
Branca,	Heavey,	Meholchick,	Stank,
Brenninger,	Heffner,	Merry,	Steckel,
Breth,	Helm,	Miller, B. Z.,	Stevens,
Brown,	Henzel,	Miller, H. G.,	Stewart,
Burns,	Hocker,	Mills,	Stimmel,
Capano,	Holliday,	Monroe,	Stone,
Capitolo,	Holt,	Muldowney,	Sullivan,
Cioffi,	Horst,	Mullen,	Taylor,
Clarke,	Irvig,	Munley,	Tompkins,
Comer,	Isaacs,	Murphy, A. J., Jr.,	Trusio,
Crossin,	Jenkins,	Murphy, P. J.,	Varner,
Curwood,	Jim,	Murray, H. P.	Verona,
Davis,	Johnson, A. W.,	Murray, J. J.,	Wall,
Dengler,	Jones, F. R.,	Murray, P. G.,	Walsh,
Dennis,	Johnson, R.,	Musto,	Wargo,
Dennison,	Jones, T. H. W.,	Naugle,	Weidner,
Devlin,	Jump,	Needham,	Wheeler,
Donahue,	Kamyk,	O'Dell,	Whittaker,
Donaldson,	Kee,	O'Donnell, J. A.,	Williams, A. D. Jr.
Dougherty,	Kelser,	Odoristo,	Williams, E. S.,
Down,	Kernaghan,	Ogilvie,	Willard,
Edwards,	Kessler,	Parlante,	Willaredt,
Eilberg,	Knecht,	Pashley,	Wilt,
Eshback,	Kooker,	Perry, H. H.,	Wood,
Eshleman,	Kornick,	Perry, P. E.,	Worley,
Ewing,	Korns,	Petrosky,	Wynd,
Fetterolf,	Kubitsky,	Polen,	Yatron,
Filo,	Lee, A. M.,	Prendergast,	Yetter,
Floyd,	Lee, K. B.,	Price,	Zimmerman,
Flynn,	Leonard,	Pursley,	
Foerster,	Lippincott,	Reibman,	Andrews,
Fox,	Lopresti,		Speaker

NAYS—15

Bonner,	Frank,	O'Neil,	Sherman,
Cianfrani,	Gelfand,	Polaski,	Silverman,
Farabaugh,	Machmer,	Rovansek,	Varallo,
Fineman,	O'Donnell, J. P.,	Schaaf,	

NOT VOTING—20

Bowman,	Light,	Nelson,	Stroup,
Buchanan,	Limper,	Rudisill,	Thompson,
Cooper,	McCormack,	Scarcelli,	Ujohai,
Kovolenko,	Mihm,	Stoner,	Welsh,
Lamb,	Moran,	Strausser,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating the making of installment loans.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1001), page 4, line 15, by striking out the brackets before and after "fifteen."

Amend Sec. 1 (Sec. 1001), page 4, line 15, by striking out "ten."

Amend Sec. 1 (Sec. 1001), page 5, line 3, by striking out "ten" and inserting "fifteen."

Amend Sec. 1 (Sec. 1001), page 5, line 5, by striking out "ten" and inserting "fifteen."

Amend Sec. 1 (Sec. 1001), page 5, line 14, by striking out "ten" and inserting "fifteen."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Agnew,	Frank,	McCandless,	Renwick,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McDonald,	Rovansek,
Ashton,	Galley,	McInroy,	Royer,
Auker,	Gallagher,	McKeever,	Sakulsky,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Blair,	Gibb,	Mahan,	Seltzer,
Boles,	Goldstein,	Markley,	Sherman,
Bonner,	Goodrich,	Maxwell,	Shupnik,
Boris,	Gramlich,	Meholchick,	Silverman,
Bower,	Guthrie,	Merry,	Snare,
Branca,	Hamilton,	Miller, B. Z.,	Snider,
Brenninger,	Heavey,	Miller, H. G.,	Stank,
Breth,	Heffner,	Mills,	Steckel,
Brown,	Helm,	Monroe,	Stevens,

Burns,	Henzel,	Muldowney,	Stewart,
Capano,	Hocker,	Mullen,	Stimmel,
Capitolo,	Holliday,	Munley,	Stone,
Cianfrani,	Holt,	Murphy, A. J., Jr.	Sullivan,
Cioffi,	Horst,	Murphy, P. J.,	Taylor,
Clarke,	Irviss,	Murray, H. P.,	Tompkins,
Comer,	Isaacs,	Murray, J. J.,	Trusio,
Crossin,	Jenkins,	Murray, P. G.,	Varallo,
Curwood,	Jim,	Musto,	Varner,
Davis,	Johnson, A. W.,	Naugle,	Verona,
Dengler,	Johnson, R.,	Needham,	Wall,
Dennis,	Jones, F. R.,	O'Dell,	Walsh,
Dennison,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Devlin,	Jump,	O'Donnell, J. P.	Weidner,
Donahue,	Kamyk,	Odorisio,	Wheeler,
Donaldson,	Kee,	Ogilvie,	Whittaker,
Dougherty,	Kelser,	O'Neil,	Williams, A.D., Jr.,
Down,	Kernaghan,	Parlante,	Williams, E. S.,
Edwards,	Kessler,	Pashley,	Willard,
Ellberg,	Knecht,	Perry, H. H.,	Willaredt,
Eshback,	Kooker,	Perry, P. E.,	Wilt,
Eshleman,	Kornick,	Petrosky,	Wood,
Ewing,	Korns,	Polaski,	Worley,
Farabaugh,	Kubitsky,	Polen,	Wynd,
Fetterolf,	Lee, A. M.,	Prendergast,	Yatron,
Filo,	Lee, K. B.,	Price,	Yetter,
Fineman,	Leonard,	Reidenbach,	Zimmerman,
Floyd,	Lippincott,	Rigby,	
Flynn,	Lopresti,	Pursley,	
Foerster,	Luigard,	Reibman,	
Fox,	Lutty,		

NAYS—0

NOT VOTING—20

Bowman,	Light,	Nelson,	Stroup,
Buchanan,	Limper,	Rudisill,	Thompson,
Cooper,	McCormack,	Scarcelli,	Ujobai,
Kovolenko,	Mihm,	Stoner,	Welsh,
Lamb,	Moran,	Strausser,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 114, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Agnew,	Fox,	Lutty,	Reidenbach,
Anderson,	Frank,	McCandless,	Renwick,
Arlene,	Frascella,	McCann,	Riley,
Ashton,	Fulmer,	McDonald,	Rovansek,
Auker,	Galley,	McInroy,	Royer,
Balthaser,	Gallagher,	McKeever,	Sakulsky,
Barton,	Garlock,	McLaughlin,	Schaaf,
Bell,	Gelfand,	Machmer,	Schuster,
Blair,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Branca,	Guthrie,	Merry,	Snare,
Brenninger,	Hamilton,	Miller, B. Z.,	Snider,
Breth,	Heavey,	Miller, H. G.,	Stank,
Brown,	Heffner,	Mills,	Steckel,
Burns,	Helm,	Monroe,	Stevens,

Capano,	Henzel,	Muldowney,	Stewart,
Capitolo,	Holliday,	Mullen,	Stimmel,
Cianfrani,	Holt,	Munley,	Stone,
Cioffi,	Horst,	Murphy, A. J., Jr.	Sullivan,
Clarke,	Irviss,	Murphy, P. J.,	Taylor,
Comer,	Isaacs,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Jenkins,	Murray, P. G.,	Varallo,
Dengler,	Johnson, A. W.,	Musto,	Varner,
Dennis,	Johnson, R.,	Naugle,	Verona,
Dennison,	Jones, F. R.,	Needham,	Wall,
Devlin,	Jones, T. H. W.,	O'Dell,	Wargo,
Donahue,	Jump,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kamyk,	O'Donnell, J. P.	Wheeler,
Dougherty,	Kee,	Odorisio,	Whittaker,
Down,	Kelser,	O'Neil,	Williams, E. S.,
Edwards,	Kernaghan,	Parlante,	Willard,
Ellberg,	Kessler,	Pashley,	Willaredt,
Eshback,	Knecht,	Perry, H. H.,	Wilt,
Eshleman,	Kornick,	Perry, P. E.,	Wood,
Ewing,	Korns,	Petrosky,	Worley,
Farabaugh,	Kubitsky,	Polaski,	Wynd,
Fetterolf,	Lee, A. M.,	Polen,	Yatron,
Filo,	Lee, K. B.,	Prendergast,	Yetter,
Fineman,	Leonard,	Price,	Zimmerman,
Floyd,	Lippincott,	Pursley,	
Flynn,	Lopresti,	Reibman,	
Foerster,	Luigard,		

Andrews,
Speaker

NAYS—7

Davis,	Kooker,	Rigby,	Williams, A.D., Jr.,
Hocker,	Ogilvie,	Walsh,	

NOT VOTING—20

Bowman,	Light,	Nelson,	Stroup,
Buchanan,	Limper,	Rudisill,	Thompson,
Cooper,	McCormack,	Scarcelli,	Ujobai,
Kovolenko,	Mihm,	Stoner,	Welsh,
Lamb,	Moran,	Strausser,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled "Interstate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 3), page 2, lines 10 and 11, by striking out the bracket before "persons" in line 10 and after "Pennsylvania" in line 11.

Amend Sec. 1 (Sec. 3), page 2, lines 11 to 14, by striking out "such heirs or kin" in line 11 and all of lines 12 to 14.

Amend Sec. 1 (Sec. 4), page 3, line 9, by inserting a bracket before "child."

Amend Sec. 1 (Sec. 4), page 3, line 9, by striking out the bracket before "any."

Amend Sec. 1 (Sec. 4), page 3, line 10, by striking out "inherit by representation" and inserting: "grandchild of an uncle or aunt of the decedent shall be entitled to any share of the estate."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 4, page 4, lines 2 and 3, by striking out "nine hundred thousand dollars (\$900,000)" and inserting "three hundred thousand dollars (\$300,000)."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 315.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 315, entitled "An act amending the act of July 2, 1935 P. L. 589) entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products * * * relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture defining certified milk and canned milk and providing for the sale of canned milk establishing certain fees, requiring additional information to be on milk when sold, providing that a brucellosis test be given to certain cows, permitting milk plants to be used in the preparation of certain fruit juices and milk products and extending certain provisions of the act to milk products.'"

Respectfully submit the following bill as our report:

ALBERT E. MADIGAN,
ARTHUR E. KROMER,
GEORGE J. SARRAF,
(Committee on the part of the Senate).

E. J. FARABAUGH,
PETER G. SCHAAF,
W. STUART HELM,

(Committee on the part of the House of Representatives.)

An Act Amending the act of July 2, 1935 (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture defining certified milk and canned milk and providing for the sale of canned milk establishing certain fees requiring additional information to be on milk when sold providing that a brucellosis test be given to certain cows permitting milk plants to be used in the preparation of certain fruit juices and milk products and extending certain provisions of the act to milk products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 act of July 2, 1935 (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons or entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are amended to read

An Act

To safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of [Health the Advisory Health Board] Agriculture and otherwise providing for the administration of the act and imposing penalties

Section 1 Be it enacted &c That for the purpose and within the meaning of this act the following definitions shall obtain

"Milk" means milk skimmed milk cream sour milk sour cream buttermilk and all other fluid derivatives of milk [except condensed milk and evaporated milk for manufacturing purposes]

"Milk products" means ice cream mix custard ice cream french ice cream frozen custard and other similar frozen products and all dairy products used in the manufacture thereof

"Canned milk" means condensed evaporated or concentrated milk in hermetically sealed containers or for manufacturing purposes

"Certified Milk" means [the product of] milk from dairy farms operated in accordance with the "Methods and Standards for the Production and Distribution of 'Certified Milk' last adopted by the American Association of Medical Milk Commissions Incorporated" and the production and handling of which shall be certified to by a commission instituted in compliance therewith

"Secretary" means the Secretary of [Health] Agriculture of this Commonwealth or his authorized representative

"Person" includes singular and plural masculine and feminine and any individual firm copartnership institution association or corporation thereof

"To Sell" "for sale" or "sold" and similar terms means the selling exchanging delivering or having in possession care control or custody with intent to sell exchange or deliver or to offer or to expose for sale

"Dairy farm" is a place or premise where one or more cows are kept and a part of all the milk from which is sold or delivered to any person

"Milk plant" is any place or premise or establishment where milk is collected separated processed stored bottled pasteurized or prepared in any manner for sale as milk or milk products

"Approved inspector" is one who has proven to the satisfaction of the secretary to be a person of good character trained by school and experience to carry on dairy farm and milk plant inspection in a capable and efficient manner and has received a certificate of approval from the secretary. Applications for certificates of approval for approved inspectors shall be made on forms which may be secured from the Secretary of [Health] Agriculture and shall be accompanied by a fee of [ten (\$10)] fifteen (\$15) dollars. Certificates of approval shall expire on December thirty-first of each year. Applications for renewal shall be made on forms satisfactory to the Secretary of [Health] Agriculture and shall be accompanied by a registration fee of [three (\$3)] five (\$5) dollars and shall be returned to the Secretary of [Health] Agriculture not later than December fifteenth of each year. Certificates of approval shall not constitute an approved inspector an official employee agent or authorized representative of the Department of [Health] Agriculture nor shall he represent himself so to be.

Certificates of approval may be refused suspended or revoked for cause upon such notice and subject to such conditions as the secretary shall deem necessary.

"Municipality" includes any city borough town or township in this Commonwealth.

Section 2 Section 2 of the act is amended by adding at the end thereof a new paragraph to read

Section 2 * * *

When the Secretary of Agriculture inspects a plant beyond the boundary of the Commonwealth such plant shall reimburse the department for all necessary and reasonable expenses incurred in making the inspection which shall be retained by the department for its use in making such inspections.

Section 3 The act is amended by adding after section 6 a new section to read

Section 6.1 When the Secretary of Agriculture is requested by a plant to make a survey inspection and figure ratings for the United States Public Health Service he shall do so only upon payment of a fee of seventy-five dollars (\$75) which shall be retained by the Department of Agriculture for its use in making such inspections and surveys.

Section 4 Sections 7 8 9 12 16 and 17 of the act are amended to read

Section 7 No person shall sell milk that does not bear prominently the name and address of the processing plant and the designation "Certified Milk" or "Raw Milk" or "Milk for Pasteurization" or "Pasteurized Milk". Other designations may be used with the designation of "Raw Milk" or "Pasteurized Milk" provided the definition of such designation is filed with and approved by the "Secretary".

No person shall sell milk products that do not bear prominently the name and address or code number of the processor or manufacturer the kind of milk products offered for sale and the name and location of the milk plant in which the milk products are processed or manufactured.

Section 8 "Raw Milk" shall be produced and handled in the following manner

(a) "Raw Milk" shall be milk from a cow or cows determined by physical examination and tuberculin tests conducted in accordance with the rules regulations and practices of the State Department of Agriculture pertaining to the individual accredited herd plan or the modified accredited area plan and brucellosis tests conducted in accordance with the rules regulations and practices of the Department of Agriculture pertaining to the individual accredited herd plan to be free from communicable disease.

(b) The cows shall be fed watered housed and cared for in such a manner that the milk will be clean and free from disease-producing organisms.

(c) The milking process shall be carried on in a cleanly manner. The milk shall be promptly cooled. The milk containers utensils and equipment shall be of such material and so constructed that they may be readily cleaned. The milk and the cleansed containers utensils and equipment shall be protected from flies.

(d) A milk [house or milk rooms] plant which [are]

is properly constructed lighted ventilated drained and kept clean shall be provided and used exclusively for the handling of "Certified Milk" or "Raw Milk" or fruit juices if received from a source acceptable to the Secretary of Agriculture with respect to sanitation and protection of public health. An adequate supply of steam or hot water shall be provided and used for cleansing milk containers and dairy utensils.

(e) Every applicant for or holder of a permit to sell raw milk desiring to purchase milk for resale as raw milk shall receive permission from the "secretary" before accepting milk from any source other than that given in the application for a permit. All sources of raw milk shall be inspected and approved by the "secretary".

Section 9 Every applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization or milk products shall keep an accurate record of the names and addresses of the owners or operators of all dairy farms from which milk is received. This record shall be kept on file in the milk plant where the milk is received and shall be available at all times for the inspection of the secretary.

An accurate report of a sanitary inspection on all dairy farms from which milk is received and of the milk as delivered to the milk plant shall be kept on file in the milk plant. The sanitary inspection shall be made semi-annually by an approved inspector at the expense of the applicant for or holder of a permit. Such payment shall be made only by the applicant for or holder of the permit for the plant to which the milk from the farm which is inspected is to be delivered. Such inspections may be made by the secretary. Within thirty days after demand by the secretary additional inspections shall be made of any or all farms and reports thereon filed in the milk plant. Inspection reports shall be made upon forms satisfactory to the secretary.

No applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization or milk products shall receive milk from a dairy farm until the report of the sanitary inspection made by an approved inspector shall have been placed on file in the milk plant where the milk is received for the inspection and approval of the secretary nor shall he receive milk or milk products from any milk plant owned or operated by another person who is not in lawful possession of a permit.

No milk or milk products shall be received in any milk plant for any purpose unless such milk or milk products shall have been produced on dairy farms or acquired from milk plants approved by the secretary or unless permission for the receipt of such milk or milk products shall be obtained from the secretary.

[Only milk or milk products may be prepared or processed in a milk plant.] A milk plant may be used only for the preparation and processing of milk milk products or fruit juices if received from a source acceptable to the Secretary of Agriculture with respect to sanitation and protection of public health.

Section 12 "Pasteurized Milk" shall be milk produced and handled in the following manner

(a) "Pasteurized Milk" is milk heated to such a temperature and for such a length of time that all harmful organisms are destroyed.

(b) "Milk for Pasteurization" shall be used in the preparation of "Pasteurized Milk".

The holder of a permit to sell "Pasteurized Milk" may purchase "Milk for Pasteurization" from a person in lawful possession of a permit to sell "Pasteurized Milk".

(c) Milk containers in which milk is received in milk plants in which milk is pasteurized shall be thoroughly cleansed and dried before returning to a dairy farm or a milk plant.

(d) Apparatus for the pasteurization of milk shall be equipped with an accurate indicating thermometer and a recording thermometer of type approved by the secretary. A true record of pasteurization as given by the recording thermometer shall be on file at the place where the milk is pasteurized.

(e) Milk to be sold as "Raw Milk" may be received cooled and bottled in a building where milk is pasteurized providing all milk received in the building where milk is

pasteurized meets the requirements for "Raw Milk" as set forth in this act

(f) The rooms of buildings in which milk [as] or milk products are exposed during and after pasteurization shall be properly lighted ventilated drained and clean and shall be used for no other purpose than to provide a place for cleansed milk containers and utensils and for the handling of milk or milk products during and after pasteurization or fruit juices received from a source acceptable to the Secretary of Agriculture with respect to sanitation and protection of public health

(g) Milk during and after pasteurization and cleansed milk containers utensils and equipment shall be protected from flies

(h) Pasteurization plants shall be provided with and use an adequate supply of steam or hot water for cleansing milk containers utensils and equipment

(i) Equipment with which milk comes in contact shall be constructed in such manner as to be easily cleansed Demountable apparatus with which milk comes in contact shall be taken apart and cleansed each day such apparatus is in use The secretary upon approval of the design installation and operation of the system may permit in-place cleaning Surfaces with which milk comes in contact shall be smooth non-corrosive material and free from open seams

(j) "Pasteurized Milk" shall be placed in the final container in the milk plant where the milk is pasteurized immediately after pasteurization

(k) The milk plants in which milk is received or pasteurized shall not be constructed nor altered until the plans and specifications thereof have received the approval of the "secretary" Equipment before being installed shall likewise be approved by the secretary

Section 16 The Secretary of [Health] Agriculture shall have the power to make requirements concerning the number and character of bacteria in milk and milk products after hearing

Bacteriological analysis of milk and milk products shall be made under the supervision of a laboratory the equipment and director of which have been approved by the Secretary of [Health] Agriculture The bacteriological analysis of milk and milk products shall be in accordance with Standard Methods of Milk Analysis of the American Public Health Association and the Association of Official Agriculture Chemists last adopted unless special permission is given by the secretary for a modification of the above standard methods

Section 17 "Milk products" shall be prepared from milk produced and handled in the following manner

(a) "Milk for Pasteurization" shall be used in the preparation of "milk products"

(b) The "Milk for Pasteurization" used in the preparation of "milk products" shall be pasteurized or otherwise treated as indicated by the "secretary" [before or] during the preparation of "milk products"

(c) Milk containers in which "Milk for Pasteurization" is received in milk plants for the preparation of "milk products" shall be thoroughly cleansed and dried before returning to a dairy farm or a milk plant

(d) The rooms of buildings in which "milk products" are exposed during and after preparation shall be properly lighted ventilated drained and clean and shall be used for no other purpose than to provide a place for cleansed containers and utensils and for the handling of "milk products"

(e) "Milk products" during and after preparation and cleansed containers utensils and equipment shall be protected from flies

(f) Milk plants in which "milk products" are prepared shall be provided with an adequate supply of steam or hot water for cleansing containers utensils and equipment

(g) Equipment with which "milk products" come in contact shall be constructed in such a manner as to be easily cleansed Demountable apparatus with which "milk products" come in contact shall be taken apart and cleansed each day such apparatus is in use The secretary upon approval of the design installation and operation of the system may permit in-place cleaning Surfaces with

which "milk products" come in contact shall be of smooth non-corrosive material and free from open seams

(h) The milk plants in which "milk products" are prepared shall not be constructed nor altered until the plans and specifications thereof have received the approval of the "secretary" Equipment before being installed shall likewise be approved by the secretary

Section 5 The act is amended by adding after section 17 a new section to read

Section 17.1 "Canned Milk" shall be received from sources and handled in a manner acceptable to the secretary with respect to sanitation and protection of public health there shall be a presumption that such milk is so received and handled but the secretary in his discretion may check and verify this and come to his own determination if "canned milk" in its final container is found to be unsafe or contaminated the secretary shall have the right to exclude it from sale in Pennsylvania

Section 6 Section 18 of the act amended August 24, 1951 (P. L. 1338) is reenacted to read

Section 18 The provisions of this act and the regulations made thereunder shall not be taken nor deemed to repeal existing municipal ordinances nor to prevent municipalities or counties which have established or joined in establishing county departments of health from enacting and enforcing new ordinances or regulations for the further protection of the public health Provided That this act shall be considered as establishing uniform requirements and regulations and that nothing herein contained shall be deemed to prevent municipalities or counties which have established or joined in establishing county departments of health from obtaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances or regulations

Section 7 Sections 19 20 and 22 of the act are amended to read

Section 19 The [advisory health board of the State Department of Health] Secretary of Agriculture is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act

Section 20 Any person violating any provisions of this act or rules and regulations pertaining thereto shall upon conviction thereof before any magistrate alderman or justice of the peace in the county where the offense shall have been committed be subject to a fine of not less than ten dollars (\$10) and not more than fifty dollars (\$50) for each offense by law or in case of nonpayment of the fine to undergo imprisonment in the county jail for a period not exceeding thirty days Provided That any person convicted more than twice of violating the same provisions of this act or rules and regulations pertaining thereto shall be subject to a fine of not less than fifty dollars (\$50) nor more than two hundred and fifty dollars (\$250) or in case of nonpayment of the fine to undergo imprisonment in the county jail for a period not less than thirty days nor more than six months

Prosecution for violations of any of the provisions of this act and the regulations thereto shall be brought by the Secretary of [Health] Agriculture or his agent or by any health officer of any municipality in this Commonwealth

All fines collected under this act shall be paid to the secretary and by him into the State Treasury through the Department of Revenue

Section 22 The Attorney General may at the instance of the secretary in the name of the Commonwealth institute proceedings in equity in the court of common pleas of Dauphin County for the purpose of enjoining any person from offering milk or milk products for sale without a permit as provided in this act or to enjoin violation of this act and for such purpose jurisdiction is hereby conferred upon said court in such case the Attorney General shall not be required to give bond

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Anderson,	Fox,	McCandless,	Reidenbach,
Arlene,	Frank,	McCann,	Renwick,
Ashton,	Frascella,	McDonald,	Riley,
Auker,	Fulmer,	McInroy,	Rovanseck,
Balthaser,	Galley,	McKeever,	Royer,
Barton,	Gallagher,	McLaughlin,	Sakulsky,
Blair,	Garlock,	Machmer,	Schaaf,
Boies,	Gelfand,	Magee,	Schuster,
Bonner,	George,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Branca,	Guthrie,	Meholchick,	Shupnik,
Brenninger,	Hamilton,	Merry,	Silverman,
Breth,	Heavey,	Miller, B. Z.,	Snare,
Brown,	Heffner,	Miller, H. G.,	Snider,
Burns,	Helm,	Mills,	Stank,
Capano,	Henzel,	Monroe,	Steckel,
Capitolo,	Hocker,	Muldowney,	Stewart,
Cianfrani,	Holliday,	Mullen,	Stimmel,
Cioffi,	Holt,	Munley,	Stone,
Clarke,	Horst,	Murphy, A. J., Jr.	Sullivan,
Comer,	Irvis,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Dennis,	Johnson, R.,	Musto,	Varnier,
Dennison,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Jones, T. H. W.,	Needham,	Wall,
Donahue,	Jump,	O'Dell,	Walsh,
Donaldson,	Kamyk,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kee,	O'Donnell, J. P.	Weidner,
Down,	Keiser,	Ogilvie,	Wheeler,
Edwards,	Kessler,	O'Neil,	Whittaker,
Ellberg,	Knecht,	Parlante,	Williams, A. D., Jr.,
Eshback,	Kooker,	Pashley,	Williams, E. S.,
Eshleman,	Kornick,	Perry, H. H.,	Willard,
Ewing,	Korns,	Perry, P. E.,	Willaredt,
Farabaugh,	Kubitsky,	Petrosky,	Wood,
Fetterolf,	Lee, A. M.,	Polaski,	Worley,
Filo,	Lee, K. B.,	Polen,	Wynd,
Fineman,	Leonard,	Prendergast,	Yatron,
Floyd,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,

Speaker

NAYS—12

Agnew,	Gibb,	Kernaghan,	Rigby,
Bell,	Goldstein,	Lippincott,	Stevens,
Dengler,	Isaacs,	Odorisio,	Wilt,

NOT VOTING—20

Bowman,	Light,	Nelson,	Stroup,
Buchanan,	Limper,	Rudisill,	Thompson,
Cooper,	McCormack,	Scarelli,	Ujohai,
Kovolenko,	Mihm,	Stoner,	Welsh,
Lamb,	Moran,	Strausser,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1023

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1023.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1023, entitled: "An act amending the act of August 9, 1955 (P. L. 323), entitled 'An act relating to counties of the third, fourth,

fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto, changing the publication provisions relating to auditors' reports."

Respectfully submitted the following bill as our report:

GEORGE B. STEVENSON,
WILLIAM E. SCOTT,
THOMAS J. KALMAN,
(Committee on the part of the Senate.)

PAT C. TRUSIO,
HARRIS G. BRETH,
JAMES K. DAVIS,
(Committee on the part of the House of Representatives.)

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending revising consolidating and changing the laws relating thereto" changing the publication provisions relating to auditors' reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 1721 act of August 9, 1955 (P. L. 323) known as "The County Code" is amended to read

Section 1721 Audit of Accounts by Auditors Report to Common Pleas Publications Financial Report to Department of Internal Affairs

* * *

(b) The auditor's report shall be prepared and [placed in the printer's hands for publication] within ten days after being filed in the court of common pleas [and] shall be published once in [such] at least two newspapers published in said county or if not more than one newspaper is published in the county then in such newspaper of if there be no newspaper published in the county then in one newspaper of general circulation in said county [as the commissioners direct] the expense of the publication of said report shall be paid by the county

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Fox,	Luigard,	Renwick,
Anderson,	Frank,	Lutty,	Rigby,
Arlene,	Frascella,	McCandless,	Riley,
Ashton,	Fulmer,	McCann,	Rovanseck,
Auker,	Galley,	McDonald,	Royer,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Schuster,
Bell,	Gelfand,	McLaughlin,	Schwartz,
Blair,	George,	Machmer,	Seltzer,
Boies,	Gibb,	Magee,	Sherman,
Boris,	Goldstein,	Mahan,	Shupnik,
Bonner,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Branca,	Guthrie,	Meholchick,	Snider,
Brenninger,	Hamilton,	Merry,	Stank,
Breth,	Heavey,	Miller, B. Z.,	Steckel,
Brown,	Heffner,	Miller, H. G.,	Stevens,
Burns,	Helm,	Mills,	Stewart,
Capano,	Henzel,	Monroe,	Stimmel,
Capitolo,	Hocker,	Muldowney,	Stone,
Cianfrani,	Holliday,	Mullen,	Sullivan,
Cioffi,	Holt,	Munley,	Taylor,
Clarke,	Horst,	Murphy, A. J., Jr.	Tompkins,
Comer,	Irvis,	Murphy, P. J.,	Trusio,
Crossin,	Isaacs,	Murray, H. P.,	Varallo,
Curwood,	Jenkins,	Murray, J. J.,	Varnier,
Davis,	Jim,	Murray, P. G.,	Verona,
Dengler,	Johnson, A. W.,	Musto,	Wall,
Dennis,	Johnson, R.,	Naugle,	Walsh,
Dennison,	Jones, F. R.,	Needham,	Wargo,
Devlin,	Jones, T. H. W.,	O'Donnell, J. A.,	Weidner,
Donahue,	Jump,	O'Donnell, J. P.	Wheeler,
Donaldson,	Kamyk,	Odorisio,	Whittaker,
Dougherty,	Kee,	Ogilvie,	Williams, A. D., Jr.,
Down,	Keiser,	O'Neil,	

Edwards,	Kernaghan,	Parlante,	Williams, E. S.,
Ellberg,	Kessler,	Pashley,	Willard,
Eshback,	Knecht,	Perry, H. H.,	Willaredt,
Eshleman,	Kooker,	Perry, P. E.,	Wilt,
Ewing,	Korna,	Petrosky,	Wood,
Farabaugh,	Kornick,	Polaski,	Worley,
Fetterolf,	Kubitsky,	Polen,	Wynd,
Filo,	Lee, A. M.,	Prendergast,	Yatron,
Fineman,	Lee, K. B.,	Price,	Yetter,
Floyd,	Leonard,	Pursley,	Zimmerman,
Flynn,	Lippincott,	Reibman,	Andrews,
Foerster,	Lopresti,	Reidenbach,	Speaker

NAYS—1

O'Dell,

NOT VOTING—20

Bowman,	Light,	Nelson,	Stroup,
Buchanan,	Limper,	Rudisill,	Thompson,
Cooper,	McCormack,	Scarcelli,	Ujober,
Kovolenko,	Mihm,	Stoner,	Welsh,
Lamb,	Moran,	Strausser,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was apoted.

Ordered. That the Clerk inform the Senate accordingly.

ADAMS COUNTY COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House the Council of Republican Women of Adams County, under the direction of their chairman, Mrs. Bueller. They are the guests of the gentleman from Adams, Mr. Worley.

DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I request all Members on the Democratic side of the House to bring with them their house calendars to the new House caucus room. Following lunch there will be a caucus. I ask at this time a recess of one hour for the purpose of lunch and a caucus.

Mr. TOMPKINS. May I also say there will be a Republican caucus immediately after lunch. Will you please bring your calendars with you?

REPORT FROM COMMITTEE

Mr. LUTTY from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of one hour.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR

FOREIGN LEADER OF EXCHANGE PROGRAM WELCOMED

Mr. FRANK. Mr. Speaker, it is a privilege to welcome to the Hall of the House the Speaker of the Northern Regional House Assembly of Nigeria, the Honorable Alhaji Umaru Gwandi.

The Speaker is here in this country to observe the various state Houses of Representatives in action. He is very much interested in the relationships between the Federal government and the State and between the Legislative Branch of the Government and the Executive branch.

He is the guest in the country of the Foreign Leader Exchange Program and the International Educational Exchange Service, of the United States Department of State, Washington, D. C.

The SPEAKER pro tempore. The Chair asks the gentleman from Lehigh, Mr. Frank to escort the distinguished gentleman to the rostrum.

The Chair presents to the House for a brief address the Speaker of the House of Assembly of the Northern Region of Nigeria.

ADDRESS BY ALHATI UMARU GWANDU

Mr. Speaker, sir, and honorable Members, I have felt rather overwhelmed by the great honor which you have done to me today by allowing me to address your House.

This will certainly go down in the records not only of the history of this great state of Pennsylvania and not only in the history of the United States of America, but also in the history of my own country.

I assure you that the people of Nigeria have a great interest in the United States of America, and the good relationship which has been growing so rapidly between the United States of America and Nigeria has now been fully illustrated this evening by my presence here.

I have been invited by the United States government to visit this country in order to study in particular the relationship between Federal and State legislation. It was with great pleasure that when I heard your Legislature is sitting I requested that arrangements should be made for me that my first place to visit outside Washington should be Harrisburg. I am particularly pleased to be here, and honestly I did not think that I would be so highly honored by being allowed to speak here today. I do not have any prepared notes, but I am sure all the honorable Members would like to know a little bit about my own country.

Nigeria is a vast country, though not, of course, as vast as the United States of America. It's one of the largest British dependencies in Africa. The area of the

country is over 372,000 square miles and out of this 372,000 square miles, 281,000 square miles lie in my own area; that is, the Northern Region which I have come from.

The country is divided at the moment into three regions, or if I may call it in the term which you may probably understand better, three states. The Northern Region where I have come from is the largest, both in size and in population. Out of a population of 35 million people in Nigeria, over 18 million people live in the Northern Region and the rest are divided into the Eastern and Western Regions.

We have a capitol territory of Lagos where the federal government is, and where also the federal parliament sits. Each of these three states is an autonomous state; that is, each is independent of each other, and also of the federal government as far as the powers given each state are concerned. We have the division of powers. There are powers which are given to the regions and there are powers which are given to the federal government. And most of the duties are carried out by the regions except the defense, external affairs and banking. But most of the social services are carried out by the regions, and we have a system of revenue allocation. The revenue is allocated to the regions, first of all, according to derivations; that is, the source from which the export duty is derived, or the import duties according to consumption, like imported articles, and also on the second factor of need; that is, of population.

The chief products from Nigeria are cocoa which is grown in the southern part of the country and ground nuts from the Northern Region. We have also now petrol which has been discovered in very large commercial quantity in the southern part, and very soon we will have a refinery set up there.

In the north we have also surveyed a large area where it is expected that a lot of mineral oil will be found. We have a large quantity of tin, columbite, bauxite and other minor minerals.

We also have great agricultural country in the north. Besides ground nuts for export, we also produce a large quantity of cotton, both for feeding our own textile mills which we have recently set up in Kaduna, and also for export.

Mr. Speaker, my time is nearly up. There is a lot which I would wish to tell you and the Members about my own country, but I think I have drawn a very sketchy picture of my country which will give the Members an idea of what the country is. I would be very pleased to answer any questions or to meet Members outside the House if they would like to have any further information.

Mr. Speaker, honorable Members, I am deeply grateful for this great honor, and I sincerely wish that this sense of friendship which has been expressed to me will continue and grow stronger and stronger between my own country and this country.

This is not the first time, of course, I have received such an honor. I was greatly honored by the Speaker of the House of Representatives in the Capitol, Mr. Sam Rayburn, and many of the Members. He did me even the great honor of having taken a group photograph with him, a photograph which I value a great deal and which I know my people will.

So, Mr. Speaker, with these few words, I should like to say on behalf of my country how very grateful I am for being given this opportunity this evening to address this august House. I wish you the best of luck.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. A. W. JOHNSON. Mr. Speaker, I just would like on behalf of the House to express our appreciation for having the gentleman honor us here today with his presence.

I think we are deeply impressed with his humility and his grace and the kindly way in which he addressed himself to this Chamber. I think it is in sharp contrast to visitors that we have presently touring our nation. I believe that if this gentleman goes from state capitol to state capitol and carries on the way he has today, and talks about the democracy and the fine things which his country enjoys that he will endear himself to the American people and will grow in stature himself, and of course will elevate his own country in the minds of all America.

The SPEAKER pro tempore. On behalf of the Membership the Chair thanks the gentleman and invites him to remain for the proceedings of the House if he cares so to do.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 22, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, September 28, 1959 at two o'clock, p. m., EST and when the House of Representatives adjourns this week, it reconvene on Monday, September 28, 1959, at three-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL No. 835

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 21, 1959.

Resolved (if the House of Representatives concur) that Senate Bill No. 835, Printer's No. 1368, entitled "An act

providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 22, 1959.

Resolved (the Senate concurring), That House Bill No. 578, Printer's No. 1573, entitled "An act amending the act of May 3, 1933 (P. L. 242), entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees, and providing penalties,' changing eligibility requirements for examination," be recalled from the Governor for the purpose of amendment.

BILLS INTRODUCED AND REFERRED

By Messrs. LOPRESTI and McCANN.

HOUSE BILL No. 2393.

An Act providing for an Office of Administrator for the State Courts and a Judicial Council.

Referred to the Committee on Rules.

By Messrs. ESHLEMAN and WOOD.

HOUSE BILL No. 2394.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

Referred to the Committee on Rules.

By Messrs. MEHOLCHICK, MUSTO, JUMP and KUBITSKY.

HOUSE BILL No. 2395.

An Act amending the "Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that the ignition be locked and key removed when a motor vehicle is left unattended, and increasing the penalty for violation of requirements for unattended motor vehicles.

Referred to the Committee on Rules.

MEMBERS OF ADVISORY BOARD OF SALVATION ARMY WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House the Advisory Board Members of the Salvation Army serving the Slate Belt Area of Northampton County. They are attending the Army's Third Annual Pennsylvania State Advisory Conference and are the guests of the Members from Northampton

County, Mr. Verona, Mr. Prendergast, Mr. O'Donnell, and Mrs. Reibman.

REPORTS FROM COMMITTEE

Mr. DOUGHERTY from the Committee on Rules, reported as committed, House Bill No. 478, entitled:

An Act selecting, designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2337, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of a livestock grading program.

Mr. DOUGHERTY from the Committee on Rules, reported as committed, House Bill No. 2354, entitled:

An Act amending the "Public Schol Code of 1949," approved March 10, 1949 (P. L. 30), changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

Mr. DOUGHERTY from the Committee on Rules, reported as committed, House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood or high water of August, 1955; * * *," extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 1580, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes prohibiting such strikes * * *," providing for the selection of the third member of certain panels and providing compensation for such members.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims providing for appeals to the Supreme Court providing for salaries of the members of the Board the procedure to be followed and further providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

Mr. SULLIVAN from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *," authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water

to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty * * *," extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith and making an appropriations.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act selecting, designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2337, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of a livestock grading program.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2354, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood

or high water of August, 1955; * * *," extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SCARCELLI for the remainder of today's Session.

Mr. Tompkins for Mr. ODORISIO for the balance of today's Session.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1992.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," authorizing the operation of a vehicle having two others attached thereto in certain cases.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the figures "1959" the words and figures "(Act No. 32)" and inserting in lieu thereof the letters and figures "(P. L. 58)"; Section 1, page 2, line 2, by striking out after the figures "1959" the words and figures "(Act No. 32)" and inserting in lieu thereof the letters and figures "(P. L. 58)"; and line 16 by inserting after the word "surface" the following: "and the overall length of such combination of vehicles does not exceed fifty (50) feet in length."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Agnew,	Fulmer,	McCann,	Renwick,
Anderson,	Galley,	McCormack,	Riley,
Arlene,	Gallagher,	McDonald,	Rovansek,
Ashton,	Garlock,	McKeever,	Royer,
Balthaser,	Gelfand,	McInroy,	Sakulsky,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Goodrich,	Machmer,	Schuster,
Blair,	Gramlich,	Magee,	Schwartz,
Bonner,	Guthrie,	Mahan,	Seltzer,
Boris,	Hamilton,	Markley,	Sherman,
Bowman,	Heavey,	Maxwell,	Shupnik,
Branca,	Heffner,	Meholchick,	Silverman,
Brenninger,	Helm,	Merry,	Snare,

Breth,	Henzel,	Miller, B. Z.,	Snider,
Brown,	Holliday,	Mills,	Stank,
Burns,	Holt,	Monroe,	Stewart,
Capano,	Irvia,	Muldowney,	Stone,
Capitolo,	Isaacs,	Mullen,	Sullivan,
Cianfrani,	Jenkins,	Munley,	Taylor,
Cioffi,	Jim,	Murphy, A. J., Jr.,	Tompkins,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Trusio,
Comer,	Johnson, R.,	Murray, H. P.,	Ujobai,
Crossin,	Jones, F. R.,	Murray, J. J.,	Varallo,
Curwood,	Jones, T. H. W.,	Musto,	Varnier,
Davis,	Jump,	Naugle,	Verona,
Dengler,	Kamyk,	Needham,	Wall,
Dennis,	Kee,	Nelson,	Wargo,
Dennison,	Kelser,	O'Dell,	Weldner,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wescott,
Donahue,	Kessler,	O'Donnell, J. P.,	Wheeler,
Dougherty,	Knecht,	O'Neil,	Whittaker,
Edwards,	Kooker,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Pashley,	Williams, E. S.,
Eshback,	Korns,	Perry, P. E.,	Willard,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Farabaugh,	Lee, K. B.,	Polaski,	Worley,
Fetterolf,	Leonard,	Polen,	Wynd,
Fineman,	Limper,	Prendergast,	Yatron,
Floyd,	Lippincott,	Price,	Yetter,
Flynn,	Lopresti,	Pursley,	Zimmerman,
Fox,	Luigard,	Reibman,	
Frank,	Lutty,	Reidenbach,	Andrews,
Frascella,	McCandless,		Speaker

NAYS—24

Auker,	Filo,	Kubitsky,	Steckel.
Boles,	Foerster,	Miller, H. G.,	Stevens,
Bower,	Gibb,	Murray, P. G.,	Stimmel,
Donaldson,	Goldstein,	Ogilvie,	Walsh,
Down,	Hocker,	Perry, H. H.,	Wilt,
Eshleman,	Horst,	Rigby,	Wood,

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcelli,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1566.

An Act amending the act of August 10, 1951 (P. L. 1163, entitled as amended "An act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estate trust estates minors' estate absentees' estates and incompetents' estates and the determination of title to real estate in certain cases providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court except in Counties of the first class and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 1, by inserting after the word "court" the words "except in counties of the first class"; Section 1, page 2, line 4, by inserting after the word "court" the words "except in counties of the first class"; line 12, by inserting after the word "court" the words "except in counties of the first class"; page 3, by inserting after line 7, the following: "Section 2 This act shall not apply to counties of the first class"; and line 10, by striking out after the word "Section" the numeral "2", and inserting in lieu thereof the numeral "3."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, we estimate at this point if we work from 5:00 to approximately 7:30 or 8:00 we will be done. If the Members will stay with us and finish the work here on all the bills—the calendars have been marked heavily—there will not be a Session of this House tomorrow. The hotels have been contacted. We ask that you do not leave. There will be many roll calls—slow roll calls. Do not leave to check out of the hotel. A telephone call to the hotel will check individual parties from their rooms.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1297.

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on the authorities authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates and services and authorizing the authorities to collect tolls fares fees rentals and charges for the use of facilities defining the authorities' powers and duties and defining the port districts" granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence action against said Authorities.

With information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 15, line 17, by striking out after the word "receive" the word "no" and inserting in lieu thereof the word "such"; line 17, by striking out after the word "services" the following: "[but] compensation at the rate of fifty (\$50) for each meeting attended not exceeding four in any one month but such compensation shall not exceed two thousand four hundred dollars (\$2400) in any year nor two hundred dollars (\$200) in any one month and in addition each member" and inserting in lieu thereof the following: "as the county commissioners shall determine and"; Section 12, page 27, line 1, by inserting after the word "except" the following: "vehicle registration fees liquid fuel taxes fuel use taxes gross receipt taxes imposed as an excise on the use of highways and."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. WALSH. Mr. Speaker, I wish to oppose the amendments. I am against mass transit in any shape or form. I think it is very bad legislation. I want to be recorded as voting "No."

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—136

Anderson,	Garlock,	McInroy,	Renwick,
Arlene,	Gelfand,	McKeever,	Rigby,
Balthaser,	George,	McLaughlin,	Riley,
Boies,	Goldstein,	Machmer,	Rovansek,
Bonner,	Goodrich,	Maxwell,	Royer,
Blair,	Gramlich,	Meholchick,	Sakulsky,
Bower,	Guthrie,	Miller, B. Z.,	Schaaf,
Branca,	Hamilton,	Miller, H. G.,	Schuster,
Breth,	Heavey,	Mills,	Schwartz,
Burns,	Helm,	Monroe,	Sherman,
Capano,	Hocker,	Muldowney,	Shupnik,
Capitolo,	Holt,	Mullen,	Silverman,
Cianfrani,	Irvis,	Munley,	Snare,
Cloffi,	Jenkins,	Murphy, A. J., Jr.,	Snider,
Clarke,	Jim,	Murray, J. J.,	Stank,
Comer,	Johnson, A. W.,	Murray, P. G.,	Stewart,
Crossin,	Johnson, R.,	Musto,	Stone,
Curwood,	Jones, F. R.,	Needham,	Sullivan,
Davis,	Jones, T. H. W.,	Nelson,	Taylor,
Dennis,	Jump,	O'Donnell, J. A.,	Trusio,
Devlin,	Kamyk,	O'Donnell, J. P.,	Varallo,
Donaldson,	Kee,	Ogilvie,	Varnier,
Dougherty,	Kelser,	O'Neill,	Verona,
Edwards,	Kornick,	Parlante,	Wall,
Elberg,	Kubitsky,	Pashley,	Wargo,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Wescott,
Filo,	Leonard,	Perry, P. E.,	Wheeler,
Fineman,	Limper,	Petrosky,	Wilt,
Floyd,	Lopresti,	Poiaski,	Worley,
Flynn,	Luigard,	Polen,	Wynd,
Foerster,	Lutty,	Prendergast,	Yatron,
Frank,	McCann,	Price,	Yetter,
Frascella,	McCormack,	Reibman,	
Galley,	McDonald,	Reidenbach,	Andrews,
Gallagher,			Speaker

NAYS—57

Agnew,	Ewing,	Korns,	Steckel,
Ashton,	Fetterolf,	Lee, K. B.,	Stevens,
Auker,	Fox,	Lippincott,	Stimmel,
Barton,	Fulmer,	McCandless,	Tompkins,
Bell,	Gibb,	Magee,	Ujobal,

Boris,	Heffner,	Mahan,	Walsh,
Bowman,	Henzel,	Markley,	Weidner,
Brenninger,	Holliday,	Merry,	Whittaker,
Brown,	Horst,	Murphy, P. J.,	Williams, A. D., Jr.,
Dengler,	Isaacs,	Murray, H. P.	Williams, E. S.,
Dennison,	Kernaghan,	Naugle,	Willard,
Donahue,	Kessler,	O'Dell,	Willardt,
Down,	Knecht,	Pursley,	Wood,
Eshback,	Kooker,	Seltzer,	Zimmerman,
Eshleman,			

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcelll,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1015.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 4 by striking out after the word "Section" the figures "699.10" and inserting in lieu thereof the figures "699.11; line 11 by striking out after the word "therein" the words "or who purchases them for such purposes."

Amend the bill by inserting after line 14 the following: "Section 2 This act shall take effect September 1 1960."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. MURRY. Mr. Speaker, I feel the same about this bill as I did before. I do not believe that school buses should be included in the deletion of pyrene fire extinguishers. I am afraid that somebody else will wake up some day and feel the same way as I do.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Frank,	Lutty,	Rigby,
Anderson,	Frascella,	McCandless,	Riley,
Arlene,	Fulmer,	McCann,	Rovansek,
Ashton,	Galley,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Sakulsky,
Balthaser,	Garlock,	McInroy,	Schaaf,
Barton,	Gelfand,	McKeever,	Schuster,

Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard,	McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—1

Merry,

NOT VOTING—15

Buchanan, Cooper, Kovolenko, Lamb,	Light, Mihm, Moran, Odorisio,	Rudisill, Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by striking out

"increasing the rate of."

Amend Title, page 2, first line of Title, by striking out all of said line.

Amend Sec. 1 (Sec. 2), page 4, line 6, by striking out the brackets before and after "one (1)."

Amend Sec. 1 (Sec. 2), page 4, line 6, by striking out "one and one-half (1½)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. GAILEY. Mr. Speaker, these amendments will in no way affect some of the changes which have been made in the law.

The bill as it is before us makes three major changes. First, it increases the amount of money which may be loaned under the "Small Loan Act" from \$600 to \$800. These amendments make no change in that whatsoever. Second, the bill increases the period of time within which the loan may be repaid from a maximum of 24 months to 30 months. Once again, these amendments affect that in no way. Finally, the bill as we have it before us increases the amount of interest which must be paid on amounts over \$300 from one percent to one and one-half percent. This is the section of the bill which the amendments affect.

I regret that I am not able to hold the attention of the House on this subject, Mr. Speaker, because I can assure the Members that this bill affects tens of thousands, nay, millions, of our people here in the Commonwealth of Pennsylvania and also amounts to millions of dollars in their pockets, or out of them, as the case may be.

These amendments which I have offered removed the raise in interest rates permitted on small loans and it retains the present level. Perhaps some of the Members of the House are not familiar with the present level. The present level of allowable interest on small loans is 36 percent on balance up to \$150, 25 percent on balances between \$150 to \$300, and 12 percent on balances between \$300 and \$600. This bill, if it were not amended, would permit interest charges in the amount of 18 percent to be made on amounts loaned between \$300 and \$600.

I could stand up here and wave the red flag; I could cry to you about the poor, oppressed people of the Commonwealth and the money that would be taken from them by this bill. I am not going to do it. I would suggest that 36 percent, 34 percent, and 12 percent is ample, and that the present rate should be retained.

I ask all the Members of the House on both sides of the aisle, for the sake of the people of our Commonwealth, to support these amendments.

Mr. NAUGLE. I would like to oppose this amendment which has just been offered and I would like to make a comparison to substantiate my reasons for opposition.

To properly explain the contour that this bill has with other types of legislation and lending institutions, I must compare it with other types of lending. For instance, in large quantities of money, the Federal Reserve charges to the banks a percentage of anywhere from 3.5 to 4.5 percent for their money, in large quantities, usually in millions of dollars. The Federal Reserve charges a larger percentage of interest on money they receive from Federal Reserve of anywhere from 4.5 to 5.5 percent.

The next category of lending would be the commercial banks to individuals, much of which is lent out at 6 per-

cent. However, under Senate Bill 380, which we are going to consider on our next day's Session—I believe it was amended today—Senate Bill 380 would permit the commercial bank to charge a rate of interest of 6 percent discount, which is \$6 for each \$100 of loan made, which is 1 percent a month. This money which is lent, being raised now on Senate Bill 380 is being raised from a maximum of \$3,500 to \$5,000 at 1 percent a month rate of interest.

The next category below that is the consumer discount company license. This consumer discount law is going to be amended, I hope. The bill is in Committee right now, No. 1523, which would raise the present maximum of \$2,000 maximum to \$3,500 maximum, where the bank loans now stop and move up to \$5,000, to close that gap. Their rate of interest also is 6 percent discount, which is \$6 on \$100, but in addition to that there is a service charge, a maximum of \$15 on a \$1,000 loan. That brings you a net return per month of approximately 1.26 percent interest per month.

Then you get down into the smaller category which is covered by Senate Bill 868, which we are now considering, and on the amount in excess of \$300 up to the proposed \$800 the present rate is 1 percent a month, and it is proposed that we raise that under this bill to 1.5 percent.

I would like to review the contour again and ask why would we charge for small loans, unsecured loans, if you will, in amounts of \$300 to \$800 1 percent a month, when the banks, under Senate Bill 380, charge 1 percent a month on secured loans, through either mortgages or chattel mortgages? Then again, on the consumer discount, we charge 1.25 percent, which is on larger amounts, as against charges on the small loans of \$300 to \$800 of 1 percent which is equal to that in banks under secured loans.

So for that reason I do not think we should break this contour of rates of interest charges in respect to amounts of money borrowed. Money, as you know, is a commodity just as are groceries, electric appliances or automobiles. It is bought at wholesale from the Federal Reserve by the banks and again is lent from the commercial banks to the borrower, and the smaller the quantity you borrow the higher the rate of interest is, just as it is in buying large or small quantities of any commodity. So I urge that everyone please do not break the contour of this rate of interest on small loans in respect to larger loans, and I ask that everyone oppose this amendment.

Mr. SCHWARTZ. Mr. Speaker, I do not know whether the gentleman was talking about reducing parlors, beauty parlors, hairdressing parlors, when he talked about contours. I do not blame him for trying to throw this bill in with the other bills that have to do with banks and extensions of credit, but I say we would be making a terrible mistake, with the economic conditions the way they are at the present time, by permitting an increase in the interest rate from one and one-half percent. We should be 100 percent behind this amendment.

I agree with Mr. Gailey that this bill still does nothing even if you leave the interest rate the way it is today at one percent. It permits the small loan companies to be in competition with the banks and with the lenders on the consumer discount plan by permitting them to increase the borrowing capacity from \$600 to \$800 and also increasing the time for repayment of a loan from 24 to 30 months. I certainly am against an increase in the in-

terest rates which will affect the lower income group and the middle income group, as proposed by the original Senate bill before us. I ask in all fairness and in all conscience that both sides of the House support this amendment.

Mr. NAUGLE. Mr. Speaker, I would like to answer the gentleman who spoke just a minute ago from Philadelphia, Mr. Schwartz, in regard to the competition which he claims these small loan companies are giving the banks and other lending institutions.

I would say that the competition is negligible for the fact that the average citizen, a cross-section of this state, constitutes not greater than 38 percent of the citizenry of this state who can go into a bank and get a loan, because they do not have sufficient collateral.

There is another group of people who can go into the commercial lending companies and borrow against chattel mortgages on their automobiles. But they still leave a gap for those people who are forced by emergency for medical reasons and others to borrow from another lending institution that will, and does, have faith in them to give them a few hundred dollars, even many, many times without collateral. It is for that reason I wish to protect the interests of the small lending institutions because they do fit into this economic system of ours and cannot be done without.

Mr. SCHWARTZ. Mr. Speaker, I happen to own some stock in a small loan company and I know that every six months I get my dividend of six percent, so from a little personal experience I know that these small loan companies are not in any trouble at the present time.

If you analyze the figures as given to you by Mr. Gailey, they are permitted to charge three percent a month on the first \$150 loaned and then two percent a month on the next \$150 up to \$300. We do not have to feel too badly for them. They are doing all right today. After all, the legal rate of interest in this Commonwealth is still only six percent. We are making exceptions and have in the past for the small loan company. So, I do not think we have to worry too much about their being in trouble; they are not. I say to you they do not need any relief at the present time. If they do, we are extending it to them by permitting increases in borrowing capacity from \$600 to \$800 and from 24 months to 30 months for repayment.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair is unable to decide.

Whereupon, a division was called for, one hundred and nineteen Members or more than a majority having voted in the affirmative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovansek,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snare,
Bowman,	Hamilton,	Merry,	Snider,
Branca,	Heavey,	Miller, B. Z.,	Stank,
Brenninger,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Brown,	Henzel,	Monroe,	Stewart,
Burns,	Hocker,	Muldowney,	Stimmel,
Capano,	Holliday,	Mullen,	Stone,
Capitolo,	Holt,	Munley,	Sullivan,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Taylor,
Cloff,	Irvia,	Murphy, P. J.,	Tompkins,
Clarke,	Isaacs,	Murray, H. P.,	Trusio,
Comer,	Jenkins,	Murray, J. J.,	Ujobal,
Crossin,	Jim,	Murray, P. G.,	Varallo,
Curwood,	Johnson, A. W.,	Musto,	Varner,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Dennis,	Jones, T. H. W.,	Nelson,	Walsh,
Dennison,	Jump,	O'Dell,	Wargo,
Devlin,	Kamyk,	O'Donnell, J. A.,	Weidner,
Donahue,	Kee,	O'Donnell, J. P.,	Wescott,
Donaldson,	Keiser,	Ogilvie,	Wheeler,
Dougherty,	Kernaghan,	O'Neil,	Whittaker,
Down,	Kessler,	Parlante,	Williams, A.D., Jr.,
Edwards,	Knecht,	Pashley,	Williams, E. S.,
Ellberg,	Kooker,	Perry, H. H.,	Willard,
Eshback,	Kornick,	Perry, P. E.,	Willaredt,
Eshleman,	Korns,	Petrosky,	Wilt,
Ewing,	Kubitsky,	Polen,	Wood,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Flo,	Leonard,	Pursley,	Yetter,
Fineman,	Limper,	Reibman,	Zimmerman,
Floyd,	Lippincott,	Reidenbach,	
Flynn,	Lopresti,	Renwick,	
Foerster,	Luigard,		
Fox,	Lutty,		

NAYS—0

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcelli,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 689, entitled:

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Frank,	Lutty,	Renwick,
Anderson,	Frascella,	McCandless,	Rigby,
Arlene,	Fulmer,	McCann,	Riley,
Ashton,	Galley,	McCormack,	Rovansek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Schaaf,
Bell,	George,	McLaughlin,	Schuster,
Blair,	Gibb,	Machmer,	Schwartz,
Boles,	Goldstein,	Magee,	Seltzer,
Bonner,	Goodrich,	Mahan,	Sherman,
Boris,	Gramlich,	Markley,	Shupnik,
Bower,	Guthrie,	Maxwell,	Silverman,
Bowman,	Hamilton,	Meholchick,	Snare,
Branca,	Heavey,	Merry,	Snider,
Brenninger,	Heffner,	Miller, B. Z.,	Stank,
Breth,	Helm,	Miller, H. G.,	Steckel,
Brown,	Henzel,	Mills,	Stevens,
Burns,	Hocker,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stone,
Cianfrani,	Horst,	Munley,	Sullivan,
Cloff,	Irvia,	Murphy, A. J., Jr.,	Taylor,
Clarke,	Isaacs,	Murphy, P. J.,	Tompkins,
Comer,	Jenkins,	Murray, H. P.,	Trusio,
Crossin,	Jim,	Murray, J. J.,	Ujobal,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Davis,	Johnson, R.,	Musto,	Varner,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Dennis,	Jones, T. H. W.,	Needham,	Wall,
Dennison,	Jump,	Nelson,	Walsh,
Devlin,	Kamyk,	O'Dell,	Wargo,
Donahue,	Kee,	O'Donnell, J. A.,	Weidner,
Donaldson,	Keiser,	O'Donnell, J. P.,	Wescott,
Dougherty,	Kernaghan,	Ogilvie,	Wheeler,
Down,	Kessler,	O'Neil,	Whittaker,
Edwards,	Knecht,	Parlante,	Williams, A.D., Jr.,
Ellberg,	Kooker,	Pashley,	Williams, E. S.,
Eshback,	Kornick,	Perry, H. H.,	Willard,
Eshleman,	Korns,	Perry, P. E.,	Willaredt,
Ewing,	Kubitsky,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Wynd,
Flo,	Leonard,	Prendergast,	Yatron,
Fineman,	Limper,	Price,	Yetter,
Floyd,	Lippincott,	Pursley,	Zimmerman,
Flynn,	Lopresti,	Reibman,	
Foerster,	Luigard,	Reidenbach,	
Fox,			

NAYS—1

NOT VOTING—15

Worley,

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcelli,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign"

to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovansek,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snare,
Bowman,	Heavey,	Merry,	Snider,
Branca,	Heffner,	Miller, B. Z.,	Stank,
Brenninger,	Helm,	Miller, H. G.,	Steckel,
Breth,	Henzel,	Mills,	Stevens,
Brown,	Hocker,	Monroe,	Stewart,
Burns,	Holliday,	Muldowney,	Stimmel,
Capano,	Holt,	Mullen,	Stone,
Capitolo,	Horst,	Munley,	Sullivan,
Cianfrani,	Irviss,	Murphy, A. J., Jr.,	Taylor,
Cioffi,	Isaacs,	Murphy, P. J.,	Tompkins,
Clarke,	Jenkins,	Murray, H. P.,	Trusio,
Comer,	Jim,	Murray, J. J.,	Ujobai,
Crossin,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Curwood,	Johnson, R.,	Musto,	Varner,
Davis,	Jones, F. R.,	Naugle,	Verona,
Dengler,	Jones, T. H. W.,	Needham,	Wall,
Dennis,	Jump,	Nelson,	Walsh,
Dennison,	Kamyk,	O'Dell,	Wargo,
Devlin,	Kee,	O'Donnell, J. A.,	Weidner,
Donahue,	Kelser,	O'Donnell, J. P.,	Wescott,
Donaldson,	Kernaghan,	Ogilvie,	Wheeler,
Dougherty,	Kessler,	O'Neil,	Whittaker,
Down,	Knecht,	Parlante,	Williams, A. D., Jr.,
Edwards,	Kooker,	Pashley,	Williams, E. S.,
Ellberg,	Kornick,	Perry, H. H.,	Willard,
Eshback,	Korns,	Perry, P. E.,	Willaredt,
Eshleman,	Kubitsky,	Petrosky,	Wilt,
Ewing,	Lee, A. M.,	Polaski,	Wood,
Farabaugh,	Lee, K. B.,	Polen,	Worley,
Fetterolf,	Leonard,	Prendergast,	Wynd,
Filo,	Limper,	Price,	Yatron,
Fineman,	Lippincott,	Pursley,	Yetter,
Floyd,	Lopresti,	Reibman,	Zimmerman,
Flynn,	Luigard,	Reidenbach,	
Foerster,	Lutty,	Renwick,	
Fox,			Andrews,

Speaker

NAYS—1

Goldstein,

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcell,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with

amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovansek,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snare,
Bowman,	Heavey,	Merry,	Snider,
Branca,	Heffner,	Miller, B. Z.,	Stank,
Brenninger,	Helm,	Miller, H. G.,	Steckel,
Breth,	Henzel,	Mills,	Stevens,
Brown,	Hocker,	Monroe,	Stewart,
Burns,	Holliday,	Muldowney,	Stimmel,
Capano,	Holt,	Mullen,	Stone,
Capitolo,	Horst,	Munley,	Sullivan,
Cianfrani,	Irviss,	Murphy, A. J., Jr.,	Taylor,
Cioffi,	Isaacs,	Murphy, P. J.,	Tompkins,
Clarke,	Jenkins,	Murray, H. P.,	Trusio,
Comer,	Jim,	Murray, J. J.,	Ujobai,
Crossin,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Curwood,	Johnson, R.,	Musto,	Varner,
Davis,	Jones, F. R.,	Naugle,	Verona,
Dengler,	Jones, T. H. W.,	Needham,	Wall,
Dennis,	Jump,	Nelson,	Walsh,
Dennison,	Kamyk,	O'Dell,	Wargo,
Devlin,	Kee,	O'Donnell, J. A.,	Weidner,
Donahue,	Kelser,	O'Donnell, J. P.,	Wescott,
Donaldson,	Kernaghan,	Ogilvie,	Wheeler,
Dougherty,	Kessler,	O'Neil,	Whittaker,
Down,	Knecht,	Parlante,	Williams, A. D., Jr.,
Edwards,	Kooker,	Pashley,	Williams, E. S.,
Ellberg,	Kornick,	Perry, H. H.,	Willard,
Eshback,	Korns,	Perry, P. E.,	Willaredt,
Eshleman,	Kubitsky,	Petrosky,	Wilt,
Ewing,	Lee, A. M.,	Polaski,	Wood,
Farabaugh,	Lee, K. B.,	Polen,	Worley,
Fetterolf,	Leonard,	Prendergast,	Wynd,
Filo,	Limper,	Price,	Yatron,
Fineman,	Lippincott,	Pursley,	Yetter,
Floyd,	Lopresti,	Reibman,	Zimmerman,
Flynn,	Luigard,	Reidenbach,	
Foerster,	Lutty,	Renwick,	
Fox,			Andrews,

Speaker

NAYS—1

Garlock,

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcell,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devices bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and submitted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovanseck,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snare,
Bowman,	Hamilton,	Merry,	Snider,
Branca,	Heavey,	Miller, B. Z.,	Stank,
Brenninger,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Brown,	Henzel,	Monroe,	Stewart,
Burns,	Hocker,	Muldowney,	Stimmel,
Capano,	Holliday,	Mullen,	Stone,
Capitolo,	Holt,	Munley,	Sullivan,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Taylor,
Cioffi,	Irvia,	Murphy, P. J.,	Tompkins,
Clarke,	Isaacs,	Murray, J. J.,	Trusio,
Comer,	Jenkins,	Murray, H. P.,	Ujobai,
Crossin,	Jim,	Murray, P. G.,	Varallo,
Curwood,	Johnson, A. W.,	Musto,	Varnier,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Dennis,	Jones, T. H. W.,	Nelson,	Walsh,
Dennison,	Jump,	O'Dell,	Wargo,
Devlin,	Kamyk,	O'Donnell, J. A.,	Weidner,
Donahue,	Kee,	O'Donnell, J. P.,	Wescott,
Donaldson,	Keiser,	Ogilvie,	Wheeler,
Dougherty,	Kernaghan,	O'Neill,	Whittaker,
Down,	Kessler,	Parlante,	Williams, A. D., Jr.,
Edwards,	Knecht,	Pashley,	Williams, E. S.,
Eilberg,	Kooker,	Perry, H. H.,	Willard,
Eshback,	Kornick,	Perry, P. E.,	Willaredt,
Eshleman,	Korns,	Petrosky,	Wilt,
Ewing,	Kubitsky,	Polaski,	Wood,
Farabaugh,	Lee, A. M.,	Polen,	Worley,
Fetterolf,	Lee, K. B.,	Prendergast,	Wynd,
Filo,	Leonard,	Price,	Yatron,
Fineman,	Limper,	Pursley,	Yetter,
Floyd,	Lippincott,	Reibman,	Zimmerman,
Flynn,	Lopresti,	Reidenbach,	
Foerster,	Luigard,	Renwick,	
Fox,	Lutty,		Andrews,
			Speaker

NAYS—0

NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcell,	Thompson,
Kovolenko,	Moran,	Stoner,	Welsh,
Lamb,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly * * *" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,	Frank,	McCandless,	Riley,
Anderson,	Frascella,	McCann,	Rovanseck,
Arlene,	Fulmer,	McCormack,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Schaaf,
Balthaser,	Gelfand,	McKeever,	Schuster,
Barton,	George,	McLaughlin,	Schwartz,
Bell,	Gibb,	Machmer,	Seltzer,
Blair,	Goldstein,	Magee,	Sherman,
Boles,	Goodrich,	Mahan,	Shupnik,
Bonner,	Gramlich,	Markley,	Silverman,
Boris,	Guthrie,	Maxwell,	Snare,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Miller, B. Z.,	Steckel,
Brenninger,	Helm,	Miller, H. G.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Burns,	Holliday,	Muldowney,	Stone,
Capano,	Holt,	Mullen,	Sullivan,
Capitolo,	Horst,	Munley,	Taylor,
Cianfrani,	Irvia,	Murphy, A. J., Jr.,	Tompkins,
Cioffi,	Isaacs,	Murphy, P. J.,	Trusio,
Clarke,	Jenkins,	Murray, H. P.,	Ujobai,
Comer,	Jim,	Murray, J. J.,	Varallo,
Crossin,	Johnson, A. W.,	Murray, P. G.,	Varnier,
Curwood,	Johnson, R.,	Musto,	Verona,
Davis,	Jones, F. R.,	Naugle,	Wall,
Dengler,	Jones, T. H. W.,	Needham,	Walsh,
Dennis,	Jump,	Nelson,	Wargo,
Dennison,	Kamyk,	O'Dell,	Weidner,
Devlin,	Kee,	O'Donnell, J. A.,	Wescott,
Donahue,	Keiser,	O'Donnell, J. P.,	Wheeler,
Donaldson,	Kernaghan,	Ogilvie,	Whittaker,
Dougherty,	Kessler,	Parlante,	Williams, A. D., Jr.,
Down,	Knecht,	Pashley,	Williams, E. S.,
Edwards,	Kooker,	Perry, H. H.,	Willard,
Eilberg,	Kornick,	Perry, P. E.,	Willaredt,
Eshback,	Korns,	Petrosky,	Wilt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lee, A. M.,	Polen,	Worley,
Fetterolf,	Lee, K. B.,	Prendergast,	Wynd,
Filo,	Leonard,	Price,	Yatron,
Fineman,	Limper,	Pursley,	Yetter,
Floyd,	Lippincott,	Reibman,	Zimmerman,
Flynn,	Lopresti,	Reidenbach,	
Foerster,	Luigard,	Renwick,	
Fox,	Lutty,		Andrews,
			Speaker

NAYS—3

Farabaugh,	Garlock,	O'Neill,
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NOT VOTING—15

Buchanan,	Light,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcell,	Thompson,

Kovolenko,
Lamb,

Moran,
Odorisio,

Stoner,
Strausser,

Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew,	Fox,	Lutty,	Rigby,
Anderson,	Frank,	McCandless,	Riley,
Arlene,	Frascella,	McCann,	Rovanssek,
Ashton,	Fulmer,	McCormack,	Royer,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Schaaf,
Barton,	Garlock,	McKeever,	Schuster,
Bell,	Gelfand,	McLaughlin,	Schwartz,
Blair,	George,	Machmer,	Seltzer,
Boles,	Gibb,	Magee,	Sherman,
Bonner,	Goldstein,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Sullivan,
Capitolo,	Holt,	Munley,	Taylor,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Tompkins,
Cioffi,	Irvls,	Murphy, P. J.,	Trusio,
Clarke,	Isaacs,	Murray, H. P.,	Ujobai,
Comer,	Jenkins,	Murray, J. J.,	Varallo,
Crossin,	Jim,	Murray, P. G.,	Varnar,
Curwood,	Johnson, A. W.,	Musto,	Verona,
Davis,	Johnson, R.,	Naugle,	Wall,
Dengler,	Jones, F. R.,	Needham,	Walsh,
Dennis,	Jones, T. H. W.,	Nelson,	Wargo,
Dennison,	Jump,	O'Dell,	Weidner,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wescott,
Donahue,	Kee,	O'Donnell, J. P.,	Wheeler,
Donaldson,	Kelser,	Oglvie,	Whittaker,
Dougherty,	Kernaghan,	O'Neil,	Williams, A. D., Jr.,
Down,	Kessler,	Parlante,	Williams, E. S.,
Edwards,	Knecht,	Pashley,	Willard,
Elberg,	Kooker,	Perry, H. H.,	Willaredt,
Eshback,	Kornick,	Perry, P. E.,	Wilt,
Eshleman,	Korns,	Petrosky,	Wood,
Ewing,	Kubitsky,	Polaski,	Worley,
Farabaugh,	Lee, A. M.,	Polen,	Wynd,
Fetterolf,	Lee, K. B.,	Prendergast,	Yatron,
Filo,	Leonard,	Price,	Yetter,
Fineman,	Limper,	Pursley,	Zimmerman,
Floyd,	Lippincott,	Reibman,	Andrews,
Flynn,	Lopresti,	Reidenbach,	Speaker
Foerster,	Luigard,	Renwick,	

NAYS—0

NOT VOTING—14

Cooper,	Mihm,	Scarcelli,	Stroup,
Kovolenko,	Moran,	Stoner,	Thompson,
Lamb,	Odorisio,	Strausser,	Welsh,
Light,	Rudisill,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957" approved July 8, 1957 (P. L. 594) by redefining certain terms including retail dealer and wholesale dealer * * * and making other technical changes therein.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew,	Fox,	Lutty,	Rigby,
Anderson,	Frank,	McCandless,	Riley,
Arlene,	Frascella,	McCann,	Rovanssek,
Ashton,	Fulmer,	McCormack,	Royer,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Schaaf,
Barton,	Garlock,	McKeever,	Schuster,
Bell,	Gelfand,	McLaughlin,	Schwartz,
Blair,	George,	Machmer,	Seltzer,
Boles,	Gibb,	Magee,	Sherman,
Bonner,	Goldstein,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Sullivan,
Capitolo,	Holt,	Munley,	Taylor,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Tompkins,
Cioffi,	Irvls,	Murphy, P. J.,	Trusio,
Clarke,	Isaacs,	Murray, H. P.,	Ujobai,
Comer,	Jenkins,	Murray, J. J.,	Varallo,
Crossin,	Jim,	Murray, P. G.,	Varnar,
Curwood,	Johnson, A. W.,	Musto,	Verona,
Davis,	Johnson, R.,	Naugle,	Wall,
Dengler,	Jones, F. R.,	Needham,	Walsh,
Dennis,	Jones, T. H. W.,	Nelson,	Wargo,
Dennison,	Jump,	O'Dell,	Weidner,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wescott,
Donahue,	Kee,	O'Donnell, J. P.,	Wheeler,
Donaldson,	Kelser,	Oglvie,	Whittaker,
Dougherty,	Kernaghan,	O'Neil,	Williams, A. D., Jr.,
Down,	Kessler,	Parlante,	Williams, E. S.,
Edwards,	Knecht,	Pashley,	Willard,
Elberg,	Kooker,	Perry, H. H.,	Willaredt,
Eshback,	Kornick,	Perry, P. E.,	Wilt,
Eshleman,	Korns,	Petrosky,	Wood,
Ewing,	Kubitsky,	Polaski,	Worley,
Farabaugh,	Lee, A. M.,	Polen,	Wynd,
Fetterolf,	Lee, K. B.,	Prendergast,	Yatron,
Filo,	Leonard,	Price,	Yetter,
Fineman,	Limper,	Pursley,	Zimmerman,
Floyd,	Lippincott,	Reibman,	Andrews,
Flynn,	Lopresti,	Reidenbach,	Speaker
Foerster,	Luigard,	Renwick,	

NAYS—0

NOT VOTING—14

Cooper,	Mihm,	Scarcelli,	Stroup,
Kovolenko,	Moran,	Stoner,	Thompson,
Lamb,	Odorisio,	Strausser,	Welsh,
Light,	Rudisill,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2279, entitled:

An Act repealing Sec 4 act of April 22, 1794 (3 Sm L 177) entitled "An act for the prevention of vice and immorality * * *" removing prohibitions and procedures relating to profaning the Lord's day the use of profane language and drunkenness.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Bucks, Mr. Gallagher.

The SPEAKER. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I will, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, a number of the Members of this side of the House would like to know whether or not this bill repeals the on-sight arrests?

Mr. GALLAGHER. Mr. Speaker, this bill repeals the conviction on view.

Mr. TOMPKINS. I did not quite hear the gentleman. Will he repeat that please?

Mr. GALLAGHER. The bill repeals conviction on view.

Mr. TOMPKINS. It repeals the so-called on-sight arrest.

Mr. GALLAGHER. That is correct.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Flynn,	Lippincott,	Reidenbach,
Anderson,	Foerster,	Lopresti,	Renwick,
Arlene,	Fox,	Luigard,	Rigby,
Ashton,	Frank,	Lutty,	Riley,
Auker,	Frascella,	McCandless,	Rovansek,
Balthaser,	Fulmer,	McCann,	Royer,
Barton,	Galley,	McCormack,	Sakulsky,
Bell,	Gallagher,	McDonald,	Schaaf,
Blair,	Garlock,	McKeever,	Schuster,
Boles,	Gelfand,	McLaughlin,	Schwartz,
Bonner,	George,	Machmer,	Seltzer,
Boris,	Gibb,	Magee,	Sherman,
Bower,	Goldstein,	Mahan,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Branca,	Guthrie,	Meholchick,	Snare,
Brenninger,	Hamilton,	Miller, B. Z.,	Snider,
Breth,	Heavey,	Miller, H. G.,	Stank,
Brown,	Heffner,	Mills,	Steckel,
Buchanan,	Helm,	Monroe,	Stewart,
Burns,	Henzel,	Muldowney,	Stimmel,
Capano,	Holliday,	Mullen,	Stone,
Capitolo,	Holt,	Munley,	Sullivan,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Taylor,
Cioffi,	Irvins,	Murphy, P. J.,	Trusio,
Clarke,	Isaacs,	Murray, H. P.,	Ujobal,
Comer,	Jenkins,	Murray, J. J.,	Varallo,
Crossin,	Jim,	Murray, P. G.,	Varner,
Curwood,	Johnson, A. W.,	Musto,	Verona,
Davis,	Johnson, R.,	Naugle,	Walsh,
Dengler,	Jones, F. R.,	Needham,	Wargo,
Dennis,	Jones, T. H. W.,	Nelson,	Weldner,
Dennison,	Jump,	O'Donnell, J. A.,	Wescott,
Devlin,	Kamyk,	O'Donnell, J. P.	Wheeler,

Donahue,
Donaldson,
Dougherty,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Fllo,
Fineman,
Floyd,

Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korna,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,

Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wilt,
Wood,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—11

Down,
Goodrich,
Hocker,

McInroy,
Markley,
Merry,

O'Dell,
Stevens,
Tompkins,

Wall,
Worley,

NOT VOTING—14

Cooper,
Kovolenko,
Lamb,
Light,

Mihm,
Moran,
Odorisio,
Rudisill,

Scarcelli,
Stoner,
Strausser,

Stroup,
Thompson,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2327, entitled:

An Act amending the act of May 21, 1943 (P. L. 328) entitled "An act authorizing the Secretary of Highways * * * to lay out * * * and maintain flight strips and roads to the sites of war activities * * * and making an appropriation" further regulating payment of property damages by the Department of Highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovansek,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snare,
Bowman,	Hamilton,	Merry,	Snider,
Branca,	Heavey,	Miller, B. Z.,	Stank,
Brenninger,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Brown,	Henzel,	Monroe,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Sullivan,
Capitolo,	Irvins,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Isaacs,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.	Trusio,
Clarke,	Jim,	Murray, J. J.,	Ujobal,
Comer,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Crossin,	Johnson, R.,	Musto,	Varner,
Curwood,	Jones, F. R.,	Naugle,	Verona,
Davis,	Jones, T. H. W.,	Needham,	Wall,
Dengler,	Jump,	Nelson,	Walsh,

Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—2

Ewing, Hocker,

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2361, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) making technical changes and clarifying language.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Mahan, Goodrich, Gramlich, Guthrie, Hamilton, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell,	Rigby, Riley, Rovanseck, Royer, Sakulsky, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner,
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Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard,	O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2362, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78) making technical changes and clarifying language.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill,	Rigby, Riley, Rovanseck, Royer, Sakulsky, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Williams, A. D., Jr.,
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Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard,	Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2269, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Oglvie, O'Neill, Parlante, Pashley, Perry, H. H.,	Rigby, Riley, Rovanseck, Royer, Sakulsky, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D. Jr., Willard, Willaredt,
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Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard,	Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2120, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) prescribing an alternative method for fixing the rates of certain common carriers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M.,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Oglvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen,	Rigby, Riley, Rovanseck, Royer, Sakulsky, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D. Jr., Willard, Willaredt, Wilt, Wood, Worley, Wynd,
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Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelll, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2103, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, Arlene, Ashton, Balthaser, Bell, Boles, Bonner, Branca, Brenninger, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennis, Devlin, Dougherty, Ellberg, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Flynn, Foerster, Frank, Frascella, Gallagher, Gelfand, Henzel, Irvls, Isaacs, Jenkins, Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kernaghan, Knecht, Kornick, Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald,	McKeever, McLaughlin, Machmer, Markley, Maxwell, Meholchick, Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, P. G., Musto, Needham, O'Donnell, J. A., O'Donnell, J. P., O'Neil, Parlante, Pashley, Perry, P. E., Petrosky, Polaski, Prendergast, Reibman, Reidenbach,	Renwick, Riley, Rovanseck, Sakulsky, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Stank, Steckel, Stewart, Stimmel, Sullivan, Taylor, Trusio, Varner, Varallo, Verona, Wargo, Williams, A. D., Jr., Willaredt, Wynd, Yatron, Yetter,
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NAYS—85

Agnew, Auker, Barton, Blair, Boris, Bower, Bowman, Breth, Brown, Buchanan, Burns, Davis, Dennison, Donahue,	Galley, Garlock, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Hocker, Holliday,	Korns, Kubitsky, Lee, A. M., Lee, K. B., McCandless, McInroy, Magee, Mahan, Merry, Miller, B. Z., Miller, H. G., Murray, H. P., Naugle, Nelson,	Royer, Seltzer, Snare, Snider, Stevens, Tompkins, Ujobai, Wall, Walsh, Weidner, Wescott, Wheeler, Whittaker, Williams, E. S.,
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Donaldson, Down, Edwards, Eshback, Eshleman, Ewing, Fox, Fulmer,	Holt, Horst, Jim, Johnson, A. W., Jump, Kelser, Kessler, Kooker,	O'Dell, Ogglvie, Perry, H. H., Polen, Price, Pursley, Rigby,	Willard, Wilt, Wood, Worley, Zimmerman, Andrews, Speaker
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NOT VOTING—16

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Murray, J. J., Odorisio,	Rudisill, Scarcelll, Stone, Stoner,	Strausser, Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2090, entitled:

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) extending the coverage provisions to include all technical and professional employees in the service of the Commonwealth and to provide a method for the extension of such coverage.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—66

Bell, Boles, Capano, Clarke, Crossin, Curwood, Devlin, Farabaugh, Filo, Floyd, Flynn, Foerster, Galley, Gallagher, Garlock, Goldstein, Hamilton,	Irvls, Jenkins, Jim, Kamyk, Kessler, Kornick, Leonard, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, McLaughlin, Maxwell, Meholchick, Mills,	Munley, Murphy, A. J., Jr., Murphy, P. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Neil, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Reidenbach, Renwick, Rovanseck,	Sakulsky, Schaaf, Schuster, Shupnik, Snider, Stank, Sullivan, Taylor, Trusio, Varallo, Walsh, Wargo, Wheeler, Williams, A. D., Jr., Yatron, Yetter,
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NAYS—121

Agnew, Anderson, Arlene, Ashton,	Eshback, Eshleman, Ewing, Fetterolf,	Kooker, Korns, Kubitsky, Lee, A. M.,	Reibman, Rigby, Riley, Schwartz,
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Auker,	Fox,	Lee, K. B.,	Seltzer,
Balthaser,	Frank,	Limper,	Sherman,
Barton,	Frascella,	Lippincott,	Silverman,
Blair,	Fulmer,	McCandless,	Snare,
Bonner,	Gelfand,	McInroy,	Steckel,
Boris,	George,	McKeever,	Stevens,
Bower,	Gibb,	Machmer,	Stewart,
Bowman,	Goodrich,	Magee,	Stimmel,
Branca,	Gramlich,	Mahan,	Tompkins,
Brenninger,	Guthrie,	Merry,	Ujobal,
Breth,	Heffner,	Miller, B. Z.,	Varner,
Brown,	Helm,	Miller, H. G.,	Verona,
Buchanan,	Heavey,	Monroe,	Wall,
Burns,	Henzel,	Muldowney,	Weidner,
Capitolo,	Hocker,	Mullen,	Wescott,
Cianfrani,	Holliday,	Murray, H. P.	Whittaker,
Cioffi,	Holt,	Murray, P. G.,	Williams, E. S.,
Comer,	Horst,	Naugle,	Willard,
Davis,	Isaacs,	O'Dell,	Willaredt,
Dengler,	Johnson, R.,	O'Donnell, J. P.,	Wilt,
Dennis,	Jones, F. R.,	Ogilvie,	Wood,
Dennison,	Jones, T. H. W.,	Parlante,	Worley,
Donahue,	Jump,	Pashley,	Wynd,
Donaldson,	Kee,	Perry, P. E.,	Zimmerman,
Dougherty,	Kelser,	Price,	
Down,	Kernaghan,	Pursley,	Andrews,
Edwards,	Knecht,		Speaker

NOT VOTING—21

Cooper,	Light,	Odorisio,	Stoner,
Elberg,	Markley,	Royer,	Strausser,
Fineman,	Mihm,	Rudisill,	Stroup,
Johnson, A. W.,	Moran,	Scarcelli,	Thompson,
Kovolenko,	Murray, J. J.,	Stone,	Welsh,
Lamb,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on House Bill No. 2090:

This is a very slight step toward increased Civil Service in this State. It perhaps gives the Governor far too much power but it is the only step in this direction that this Legislature will have the chance to take. Reluctantly I have decided to vote for what I hope will be an experiment leading to increased Civil Service in Pennsylvania.

If the Governor misuses his power under this Bill he will delay eventual Civil Service expansion by decades.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2078, entitled:

An Act amending the "Public School Code of 1949" providing a minimum wage for employes of school districts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. LUTTY.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. LUTTY, permit himself to be interrogated? Mr. LUTTY. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I wonder if the gentleman from Allegheny will tell us what this bill provides and the purpose of it?

Mr. LUTTY. Mr. Speaker, this bill provides the minimum wage of one dollar per hour. The reason I put in this bill is, several months ago I visited with a friend

of mine in this Commonwealth and ran into a few people who worked for the school district and in this particular school district, frankly, where they are employed by this school district during the winter months they work as high as fifty or sixty hours a week, sometimes more, and they get no increase in salary and, figuring out what their wage would be, it is away below this dollar an hour. I do not think today for a dollar an hour anybody would be deprived by that small amount.

Mr. TOMPKINS. Can the gentleman give us information as to what it would cost a school district, or how many employes there are in the state that might not be at the present time up to that wage scale?

Mr. LUTTY. No, I would not know that.

Mr. TOMPKINS. What wage scale were these people you were talking to getting?

Mr. LUTTY. Well, whatever the board sets. They are only on salary, evidently by the month.

Mr. TOMPKINS. Well then, you are talking about doing something different from what their regular salary calls for.

Mr. LUTTY. Yes, in an increase of a dollar an hour.

Mr. TOMPKINS. Well, if the person works on a fixed salary of \$300 a month and he works 301 hours that month, you say then that this bill would supersede that salary and allow him \$301. Is that right?

Mr. LUTTY. Yes, that would be right.

Mr. TOMPKINS. And if he worked 225 hours that month, would he still get the \$300 or just the \$225?

Mr. LUTTY. Whatever he worked for. He would get his salary.

Mr. TOMPKINS. Does this apply to parttime employes, such as minors who might be cleaning up the schoolhouse and so forth?

Mr. LUTTY. Any employe of the school district.

Mr. TOMPKINS. It applies to the parttime employes as well?

Mr. LUTTY. Yes, sir.

Mr. TOMPKINS. The minors as well? The cafeteria workers? Any employe of the school district?

Mr. LUTTY. Any employe.

Mr. TOMPKINS. If they worked beyond the number of hours that their salary calls for, they get the increase; if they work less then get a reduction.

Mr. LUTTY. That is right.

Mr. THOMPSON. I thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—173

Anderson,	Gailey,	McCandless,	Riley,
Arlene,	Gallagher,	McCann,	Rovanssek,
Auker,	Gelfand,	McCormack,	Royer,
Balthaser,	George,	McDonald,	Sakulsky,
Bell,	Gibb,	McInroy,	Schaaf,
Boles,	Goldstein,	McKeever,	Schuster,
Bonner,	Goodrich,	McLaughlin,	Schwartz,
Boris,	Gramlich,	Machmer,	Seltzer,
Bower,	Guthrie,	Mahan,	Sherman,
Bowman,	Hamilton,	Markley,	Shupnik,
Branca,	Heavey,	Maxwell,	Silverman,
Brenninger,	Heffner,	Meholchick,	Snare,
Breth,	Helm,	Miller, B. Z.,	Snider,
Buchanan,	Henzel,	Miller, H. G.,	Stank,
Burns,	Hocker,	Mills,	Steckel,
Capano,	Holliday,	Monroe,	Stevens,
Capitolo,	Holt,	Muldowney,	Stewart,

Cianfrani,	Horst,	Mullen,	Stimmel,
Cioffi,	Irvis,	Munley,	Stone,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Sullivan,
Comer,	Jenkins,	Murphy, P. J.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, A. W.,	Musto,	Ujobal,
Dengler,	Johnson, R.,	Naugle,	Varallo,
Dennis,	Jones, F. R.,	Needham,	Varner,
Dennison,	Jones, T. H. W.,	Nelson,	Verona,
Devlin,	Jump,	O'Donnell, J. A.,	Wall,
Donahue,	Kamyk,	O'Donnell, J. P.	Walsh,
Donaldson,	Kee,	Ogilvie,	Wargo,
Dougherty,	Kelser,	O'Neill,	Wescott,
Edwards,	Kernaghan,	Parlante,	Wheeler,
Ellberg,	Kessler,	Pashley,	Whittaker,
Eshback,	Knecht,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kooker,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kornick,	Petrosky,	Willard,
Fetterolf,	Kubitsky,	Polaski,	Willaredt,
Filo,	Lee, A. M.,	Polen,	Wilt,
Fineman,	Lee, K. B.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Reibman,	Yetter,
Foerster,	Lippincott,	Reidenbach,	Zimmerman,
Fox,	Lopresti,	Renwick,	
Frank,	Luigard,	Rigby,	Andrews,
Frascella,	Lutty,		Speaker

NAYS—21

Agnew,	Down,	Magee,	Pursley,
Ashton,	Eshleman,	Merry,	Tompkins,
Barton,	Fulmer,	Murray, H. P.,	Weldner,
Blair,	Garlock,	Murray, P. G.,	Wood,
Brown,	Korns,	O'Dell,	Wynd,
Davis,			

NOT VOTING—14

Cooper,	Mihm,	Scarcelll,	Stroup,
Kovolenko,	Moran,	Stoner,	Thompson,
Lamb,	Odorisio,	Strausser,	Welsh,
Light,	Rudisill,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) further regulating the licensing and operation of man-made lakes and ponds where fishing is permitted upon payment of fees.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KORNICK. I would like to interrogate Mr. Breth or the other sponsor.

The SPEAKER. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. KORNICK. Mr. Speaker, will the gentleman tell me why they have changed the wording from "fee fishing" to "regulated fishing"?

Mr. CURWOOD. Well, Mr. Speaker, I do not know the bill too well, but I would say it has been regulated to fee fishing. You mean from "fee fishing" to "regulated"?

Mr. KORNICK. It has changed the wording from "fee

fishing" to "regulated fishing." I want to know why it was changed?

Mr. CURWOOD. Well, as soon as Mr. Breth comes in I will have Mr. Breth handle it.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. At the request of the Chairman of the Fisheries Committee, I certainly shall.

Mr. KORNICK. Mr. Speaker, again I ask why was the wording changed from "fee fishing" to "regulated fishing rate"?

Mr. BRETH. Mr. Speaker, the fee lake fishing program has become a very widespread industry in Pennsylvania and involves a considerable investment in capital and it also involves a great many individuals. There are hundreds of these fee lakes and they have formed an association, and it was directly at the request of the association that the name "fee fishing lake" would be changed to "regulated fishing lake" to bring it in line with the game program which has regulated shooting grounds.

Mr. KORNICK. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—184

Anderson,	Foerster,	McCann,	Rigby,
Agnew,	Fox,	McCormack,	Riley,
Arlene,	Frank,	McDonald,	Rovansek,
Ashton,	Frascella,	McInroy,	Royer,
Auker,	Fulmer,	McKeever,	Sakulsky,
Balthaser,	Galley,	McLaughlin,	Schaaf,
Barton,	Gallagher,	Machmer,	Schuster,
Blair,	Garlock,	Magee,	Schwartz,
Boles,	Gelfand,	Mahan,	Seltzer,
Bonner,	George,	Markley,	Sherman,
Boris,	Gibb,	Maxwell,	Shupnik,
Bower,	Goldstein,	Meholchick,	Silverman,
Bowman,	Goodrich,	Merry,	Snare,
Branca,	Gramlich,	Miller, B. Z.,	Snider,
Brenninger,	Guthrie,	Miller, H. G.,	Stank,
Breth,	Hamilton,	Mills,	Steckel,
Brown,	Heavey,	Monroe,	Stevens,
Buchanan,	Heffner,	Muldowney,	Stewart,
Burns,	Helm,	Mullen,	Stimmel,
Capano,	Henzel,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Holt,	Murray, H. P.	Taylor,
Cioffi,	Irvis,	Murray, J. J.,	Tompkins,
Clarke,	Jenkins,	Murray, P. G.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, R.,	Naugle,	Varallo,
Curwood,	Jones, F. R.,	Needham,	Varner,
Davis,	Jones, T. H. W.,	Nelson,	Verona,
Dengler,	Jump,	O'Dell,	Walsh,
Dennis,	Kamyk,	O'Donnell, J. A.,	Wargo,
Dennison,	Kee,	O'Donnell, J. P.,	Weldner,
Devlin,	Kernaghan,	Ogilvie,	Wescott,
Donahue,	Kessler,	O'Neill,	Wheeler,
Donaldson,	Knecht,	Parlante,	Whittaker,
Dougherty,	Kooker,	Pashley,	Williams, A. D., Jr.,
Down,	Kornick,	Perry, H. H.,	Williams, E. S.,
Edwards,	Korns,	Perry, P. E.,	Willard,
Ellberg,	Kubitsky,	Petrosky,	Willaredt,
Eshback,	Lee, A. M.,	Polaski,	Wilt,
Eshleman,	Lee, K. B.,	Polen,	Wood,
Ewing,	Leonard,	Prendergast,	Wynd,
Farabaugh,	Limper,	Price,	Yatron,
Fetterolf,	Lopresti,	Pursley,	Yetter,
Filo,	Luigard,	Reibman,	Zimmerman,
Fineman,	Lutty,	Reidenbach,	
Floyd,	McCandless,	Renwick,	Andrews,
Flynn,			Speaker

NAYS—10

Bell,	Isaacs,	Lippincott,	Wall,
Hocker,	Johnson, A. W.,	Murphy, P. J.,	Worley,
Horst,	Kelser,		

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the Supreme Court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Lipman, Lippincott, Lopresti, Luigard,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reidman, Reidenbach, Renwick,	Rigby, Riley, Rovanseck, Royer, Sakulsky, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Sullivan, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman,
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Andrews,
Speaker

NAYS—0

NOT VOTING—14

Cooper, Kovolenko, Lamb, Light,	Mihm, Moran, Odorisio, Rudisill,	Scarcelli, Stoner, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, as one of the co-sponsors of this bill, I would like to make a brief statement on the bill.

As the Members of the House are aware, the cities of Philadelphia and Pittsburgh, having appointed boards, must resort to legislative action whenever they have a financial problem. That is why the school board of the city of Pittsburgh is before you today.

To give you a little history on the need. A bipartisan committee of outstanding citizens of the city of Pittsburgh was appointed early in 1959 to determine the needs of the city of Pittsburgh's 70,000 school children. This particular committee consisted of Democrats, Republicans, businessmen and labor leaders. They came up with a unanimous program; the only difference being as to the method of taxation which would be passed in order to meet the needs of the school children of our city.

The bill before us today is not the bill which I originally sponsored. I want to place upon the record the fact that this particular bill will meet the needs of the city of Pittsburgh's school children only to the extent of 50 percent.

I intended to sponsor a wage tax amendment but I knew it could not pass after hearing certain remarks. I do not intend to place anybody on the spot in connection with this bill because the interests of the 70,000 school children should be above partisan politics, but I merely want to pinpoint that we are giving the city of Pittsburgh's 70,000 school children only 50 percent of their needs.

I, therefore, reluctantly vote for this bill and ask everybody to vote for it on both sides of the House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher,	Lutty, McCandless, McCann, McCormack, McDonald, McInroy,	Rigby, Riley, Rovanseck, Royer, Sakulsky, Schaaf,
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Barton,	Garlock,	McKeever,	Schuster,
Bell,	Gelfand,	McLaughlin,	Schwartz,
Blair,	George,	Machmer,	Seltzer,
Boles,	Gibb,	Magee,	Sherman,
Bonner,	Goldstein	Mahan,	Shupnk,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Sullivan,
Capitolo,	Holt,	Munley,	Taylor,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Tompkins,
Cioffi,	Irvis,	Murphy, P. J.,	Trusio,
Clarke,	Isaacs,	Murray, H. P.,	Ujobal,
Comer,	Jenkins,	Murray, J. J.,	Varallo,
Crossin,	Jim,	Murray, P. G.,	Varnier,
Curwood,	Johnson, A. W.,	Musto,	Verona,
Davis,	Johnson, R.,	Naugle,	Wall,
Dengler,	Jones, F. R.,	Needham,	Walsh,
Dennis,	Jones, T. H. W.,	Nelson,	Wargo,
Dennison,	Jump,	O'Dell,	Weidner,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wescott,
Donahue,	Kee,	O'Donnell, J. P.	Wheeler,
Donaldson,	Keiser,	Ogilvie,	Whittaker,
Dougherty,	Kernaghan,	O'Neill,	Williams, A. D., Jr.,
Down,	Kessler,	Parlante,	Williams, E. S.,
Edwards,	Knecht,	Pashley,	Willard,
Eilberg,	Kooker,	Perry, H. H.,	Willaredt,
Eshback,	Kornick,	Perry, P. E.,	Wilt,
Eshleman,	Korns,	Petrosky,	Wood,
Ewing,	Kubitsky,	Polaski,	Worley,
Farabaugh,	Lee, A. M.,	Polen,	Wynd,
Fetterolf,	Lee, K. B.,	Prendergast,	Yatron,
Filo,	Leonard,	Price,	Yetter,
Fineman,	Limper,	Pursley,	Zimmerman,
Floyd,	Lippincott,	Reibman,	
Flynn,	Lopresti,	Reldenbach,	
Foerster,	Lulgard,	Renwick,	Andrews,
			Speaker

NAYS—0

NOT VOTING—14

Cooper,	Mihm,	Scarcelli,	Stroup,
Kovolenko,	Moran,	Stoner,	Thompson,
Lamb,	Odorisio,	Strausser,	Welsh,
Light,	Rudisill,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1592, Printer's No. 1598, is a change in the Vehicle Code pertaining to the fee for the motor vehicle operator's license in the Commonwealth of Pennsylvania.

This bill, as amended and agreed to at this point, provides for the increase of operators' license fees from the present one dollar to two dollars per year. It also pro-

vides for the Secretary of Revenue to be permitted to issue the licenses on a biennial basis, effective, if possible, by 1961, and the hopes of this bill are that eventually the system will be changed so the licenses will not be issued all at one time.

They are studying and, as a debate on the previous date will indicate, the possibility of either selecting an alphabetical system, a system dealing with your birth-date month when the licenses would be handled; the operators' licenses would be handled in that manner. The Secretary of Revenue would present whatever system would be acceptable in the issuing of the biennial operators' licenses.

The present bill, 1592, would provide that in 1960, the coming year, the operator's license that you and I have in our possession, would be increased from one dollar to two dollars.

The Commonwealth of Pennsylvania many years ago had a two dollar operator's license fee. I believe in 1937, the records indicate, the operator's license fee was reduced to the present one dollar. There are approximately 5 million operators' licenses issued in the Commonwealth of Pennsylvania and I am sure as the years go by there will be more. This in itself would provide to the highway fund an additional \$5 million by the operators' license fees, but it also would eventually do one thing that we believe is extremely important—the administrative costs of issuing the licenses each year would eventually be issued on a biennial basis and therefore reduce the administrative costs at least one-half or more.

I urge all the Members of the House to support this legislation. I believe they have checked with their constituents in their legislative districts, with automobile clubs, with the various organizations, and they find very little, if any, objection to the increase of the operators' license fees from the present one dollar to the proposed two dollars.

I would like to also say that in a series of conferences the bill has been agreed to for action and I hope that those agreements will be carried out to their full extent and the bill will be placed on the Governor's desk for signature.

I urge all the Members of the House to support this proposed legislation, House Bill 1592.

Mr. ISAACS. Mr. Speaker, I would like to briefly debate this bill.

I have listened intently to the Majority Leader and I agree with some of the points he has brought out. However, this bill has one bad feature which I will comment upon briefly.

This is a bill which favors—and I am sure the department had no intention so to do—the scofflaw. Unfortunately many individuals in this state are able to secure operators' licenses at addresses where they do not live, and when we extend this from one year to two we make it that much easier for them. It is not conducive to highway safety in the congested areas. In my own county, in the county of Philadelphia, we read in the Press where the police arrive with hundreds and hundreds of warrants which they cannot serve upon violators of the Vehicle Code.

I think the department should take some steps to see that licenses do not get into the hands of operators or owners who are not living at the addresses where they

are licensed. Until that is done I believe we should consider seriously, and very seriously, voting for a bill of this kind.

For this reason, and this reason alone, I intend to vote against it.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Delaware, Mr. Isaacs?

The SPEAKER pro tempore. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ISAACS. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, were you on the floor of the House—the vote was unanimous—when we passed in this House the change of address provision in the Motor Vehicle Code, which is now an Act?

Mr. ISAACS. The vote was almost unanimous and it was about four weeks ago. Unfortunately, Mr. Speaker, not everyone pays attention to the laws we pass in this House.

If these individuals are apprehended who are not living at the addresses called for in their operators' licenses, they are responsible for a fine of \$5 or, I believe three days. That does not deter them too much. We just corrected an oversight in the Vehicle Code.

Mr. McCANN. Mr. Speaker, taking into view the fact that we have passed such a bill, and it is now an Act of the 1959 Session of the General Assembly, dealing with the provisions of when a change of address occurs, does not that act in itself assist in the correction of the incorrect addresses?

Mr. ISAACS. Undoubtedly, Mr. Speaker, it will to some extent assist. However, unfortunately, we have hundreds and possibly thousands of owners of vehicles in this state who are operating them today, and who are not residing at the addresses at which they are registered, and whom it is believed the constables are unable to locate.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly. Mr. Speaker, we had taken into consideration in deliberation in our caucus on a prior date the item dealing with the unknown addresses, as the gentleman from Delaware, Mr. Isaacs, has brought to the attention of the House. I think the record will show that we did enact legislation dealing with change of address of operators' licenses. We extended the period from a specific number of hours to days, and we hope that this will permit an enforcement of this particular change in the code, and the penalty for violation is five dollars. That is correct. But, do you not believe that the penalty for violation should be a mediocre sum in an effort to correct this situation and that the proposal which is now law, would assist our policing agencies in educating the public and asking them to change their addresses.

I am quite well aware, as is the gentleman from Delaware, Mr. Isaacs, that at the time operators' licenses come up for renewal the changes of address normally run approximately 100,000 to 200,000 at that time. But that is not too bad a percentage on five million. Now then, if we try to take care of this situation and try to assist in its correction and educate our people to try to assist in their change of addresses as they properly should when they move from one address to another, I believe that feature should be left out of the present bill.

The only other item I have to comment on is that our adjoining states, New York, New Jersey, Delaware and

Maryland, our neighboring states, and Ohio, each of them has a license fee similar to this, or higher than this, in some respects. For example, New Jersey, eight dollars, three years; Delaware, four dollars, two years; Maryland, three dollars and a half, permanent; Ohio is the one of our neighboring states that is extremely light, seventy-five cents.

So, in using the neighboring states and also in comparison to another item that is not a part of this, the gasoline tax, I believe you will find most of the people of the Commonwealth believe this is a nominal fee for an operator's license. It is a figure which existed here in the Commonwealth back in 1937 and before.

Mr. Speaker, I again urge the gentleman from Delaware and all the other Members to support this measure and vote in the affirmative.

Mr. ISAACS. Mr. Speaker, I believe the Majority Leader missed one point in the remarks I made. We have no trouble in locating owners and operators, the honest citizen, the citizen who may move to another address who fails, possibly through neglect, to change his operator's license. However, he has a home; he has a post office address. With that individual we have no trouble. The troublemaker is the operator or the owner who secures his license from an address where he does not reside, who does it deliberately and purposely and who by that dodge puts himself in a position, unless by accident, where no authority, constituted authority, can locate him.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Anderson,	Frascella,	McLaughlin,	Rigby,
Arlene,	Galley,	Machmer,	Riley,
Balthaser,	Gallagher,	Maxwell,	Rovansek,
Blair,	Garlock,	Meholchick,	Sakulsky,
Boles,	Gelfand,	Mills,	Schaaf,
Bonner,	Goldstein,	Monroe,	Schuster,
Branca,	Hamilton,	Muldowney,	Schwartz,
Breth,	Heavey,	Mullen,	Seltzer,
Burns,	Heffner,	Munley,	Sherman,
Capano,	Holt,	Murphy, A. J., Jr.	Shupnik,
Capitolo,	Irviss,	Murray, H. P.,	Silverman,
Cianfrani,	Jenkins,	Murray, J. J.,	Snare,
Cioffi,	Jim,	Musto,	Snider,
Clarke,	Jones, F. R.,	Nelson,	Stank,
Comer,	Jones, T. H. W.,	O'Dell,	Sullivan,
Crossin,	Jump,	O'Donnell, J. A.,	Taylor,
Curwood,	Kamyk,	O'Donnell, J. P.	Tompkins,
Dennis,	Knecht,	O'Neil,	Trusio,
Dennison,	Kornick,	Parlante,	Varallo,
Devlin,	Korna,	Pashley,	Verona,
Donaldson,	Kubitsky,	Perry, H. H.,	Wargo,
Dougherty,	Lee, K. B.,	Perry, P. E.,	Wescott,
Ellberg,	Leonard,	Petrosky,	Wheeler,
Ewing,	Limper,	Polaski,	Whittaker,
Farabaugh,	Lopresti,	Polen,	Williams, A.D., Jr.,
Filo,	Lulgard,	Prendergast,	Willard,
Fineman,	Lutty,	Price,	Wynd,
Floyd,	McCann,	Pursley,	Yatron,
Flynn,	McCormack,	Reibman,	Yetter,
Foerster,	McDonald,	Reidenbach,	Zimmerman,
Fox,	McKeever,	Renwick,	Andrews,
Frank,			Speaker

NAYS—65

Agnew,	Eshleman,	Kelser,	Naugle,
Ashton,	Fetterolf,	Kernaghan,	Oglivie,
Auker,	Fulmer,	Kessler,	Steckel,
Barton,	Gibb,	Kooker,	Stevens,
Bell,	Goodrich,	Lee, A. M.,	Stewart,
Boris,	Gramlich,	Lippincott,	Stimmel,
Bower,	Guthrie,	McCandless,	Ujohal,
Bowman,	Helm,	McInroy,	Varner,

Brenninger,	Henzel,	Magee,	Wall,
Brown,	Hocker,	Mahan,	Walsh,
Buchanan,	Holliday,	Markley,	Weidner,
Davis,	Horst,	Merry,	Williams, E. S.,
Dengler,	Isaacs,	Miller, B. Z.,	Willaredt,
Donahue,	Johnson, A. W.,	Miller, H. G.,	Wilt,
Down,	Johnson, R.,	Murphy, P. J.,	Wood,
Edwards,	Kee,	Murray, P. G.,	Worley,
Eshback,			

NOT VOTING—18

Cooper,	Mihm,	Rudisill,	Strausser,
George,	Moran,	Scarcelli,	Stroup,
Kovolenko,	Needham,	Stone,	Thompson,
Lamb,	Odoorisio,	Stoner,	Welsh,
Light,	Royer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RENWICK. Mr. Speaker, I rise to oppose House Bill 1560, Printer's No. 1658. This is a bill, of course, that will enable the Department of Forests and Waters to increase their power to purchase land from \$10 an acre to \$50 an acre. Of course this is land that comprises marginal and interior holdings with state forest lands.

The reason I oppose this is simply this: In my county we have exactly 71,514 acres of forest land. We also have 63,896 acres of game land, which gives us a total of 135,410 acres of land owned by the Game Commission or the Department of Forests and Waters. Now our total forest acreage is 386,000 acres, and you can imagine, you can picture in your mind, where do we obtain our tax revenues? When the state owns these acres of course we have no way of deriving any revenue whatsoever except the mere 10c an acre that we received from the Commonwealth.

Now here we are giving the Department of Forests and Waters the right to increase their purchasing of these lands. Everyone here in this House knows there is a move on to take everything back to local effort, to have your taxes raised at a local level. In my county, where we have 135,000 acres of land owned by the state, where can we get this revenue except from the privately owned land? If we are going to let the Department of Forests and Waters, the Game Commission, or any department in the Commonwealth buy these lands and pay high prices for these lands, you know the higher price they pay the better land they will get. Of course there are a lot of you people who do not have the same conditions as we have, but there will be a time, if you give the Department of Forests and Waters the right to buy this land, when you are going to be in the same position as we are. So I ask every Member of this House to vote against this bill.

Mr. GOODRICH. Mr. Speaker, I want to add to what the gentleman from Elk, Mr. Renwick, said. I would like to point out, in the matter of taxation, that if the Department of Forests and Waters acquires a holding, it is not only removed from the tax list, but it cannot be developed. Let me point out that one acre owned by the state at the present time yields to the political subdivision 10c per year. If that could be developed, one house or one camp on it, the same acre would yield from \$100 to \$200 a year taxation. Further, land that could be used for a higher utilization is permanently taken off. It can be around a borough, a township or village; it stifles the growth of a village and the county.

There are a great many reasons why the state should be careful in the acquisition of land. They never have been. Legislation has been introduced in this Session and in the last Session to give a degree of local voice in the acquisition of land, also to correct the contribution to local government in lieu of taxes. It was vetoed in the last Session, and it is not being given consideration in this Session. Until such time as there is a local voice in the acquisition of land by the state, I think that all bills—and I urge the House to vote against this bill—should be defeated.

Mr. BRETH. Mr. Speaker, I can appreciate the opinion of the gentleman from Elk, Mr. Renwick, and the gentleman from Potter, Mr. Goodrich. However, there are other considerations on which this legislation is based. In fact in Pennsylvania our state forest program is not static. It was never intended to be static, and as many of you realize, the state forests comprise 1,750,000 acres, approximately, of land at the present time. However, if it were not for those thousands of acres and their strategic distribution throughout the state, particularly in our watershed areas, we might and very likely would face a very rough water problem, because on those state forest lands the streams are kept pure and remain pure.

I think Mr. Renwick was in error when he said this bill increases the Department's right to purchase land from \$10 to \$50 an acre. It does not increase the right of the Department of Forests and Waters to purchase new lands at an increased figure. The figure originally laid down in 1929 was, I believe, \$10. In this bill it still remains \$10. However, there are other considerations in the management of forests. One of them is fire protection. Fire protection depends upon an ideal and strategic distribution of fire towers for fire detection. Now if there were a certain peak, a certain high area, in our state forests that would lend itself naturally, and be the ideal place for a fire tower, this still would give the Department of Forests and Waters the right to go in and buy that site for a fire tower at a figure above the \$10.

In filling out its holdings the only thing this bill does is increase from \$20 to \$50 the amount the Department of Forests and Waters can pay for land adjoining existing state forests or lands that are surrounded completely by existing state forest land.

This bill, naturally, is a bill for the future, and we face in America, as in Pennsylvania, a zooming human population. It has been estimated that within the next 10 years our population will go over 200 million people. These people must be served, and it is a human error and a human weakness to turn to natural resources, timber and other natural resources, and consume them

in the interests of a progressive civilization. We as Members of the House of Representatives should have vision enough to look forward to passing this bill to augment our future forestry program in the interest of a far greater population than we now have in the state, with its absolutely definable demand upon our natural resources.

This is a good bill, it hurts nobody, and it will be for the future good of the entire forestry program in Pennsylvania.

Mr. GOODRICH. Mr. Speaker, I would like to point out that we do not object to Forests and Waters acquiring more land. We do object, as the gentleman from Clearfield, Mr. Breth, stated, that the Department must, with this bill, buy land adjacent to their present holdings and add another tentacle to an octopus that has stifled the growth of many communities and many counties in Pennsylvania. If there were a degree of local control, if there were a local voice, on the acquisition of land by the state, I am sure many of the objections would not be present.

Further, as far as watershed protection is concerned, which is brought up by the gentleman from Clearfield, originally his arguments held, but at the present time privately owned forests are managed as well as and possibly better than the best management on state forest land. Now, this comes from many foresters, including some foresters associated with the Department and with the Game Commission. So, as far as the arguments presented by the gentleman from Clearfield, I am sure he feels they are sincere, but I am sure they are wrong. I again ask that the bill be defeated.

Mr. RENWICK. Mr. Speaker, just to keep the record straight, I would like to inform the gentleman from Clearfield, Mr. Breth, who said that I was in error in what I said, and now I make it emphatic that I mentioned the purchase price paid for entire holdings in lands and marginal farms along state forest lands and I pointed out that we have in my county 71,514 acres of land. So, you can see they can buy all around these lands, 71,000 acres, and they can increase it beyond limits. Therefore, I ask you again to defeat this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—96

Agnew,	Floyd,	Luigard,	Perry, P. E.,
Anderson,	Foerster,	Lutty,	Prendergast,
Arlene,	Frank,	McCandless,	Price,
Auker,	Frascella,	McCann,	Reidenbach,
Balthaser,	Galley,	McCormack,	Riley,
Barton,	Gallagher,	McKeever,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Boles,	Gelfand,	Machmer,	Sherman,
Bonner,	Gibb,	Markley,	Silverman,
Boris,	Goldstein,	Maxwell,	Snare,
Bowman,	Hamilton,	Meholchick,	Stank,
Branca,	Heavy,	Mills,	Steckel,
Breth,	Heffner,	Monroe,	Stewart,
Buchanan,	Holt,	Muldowney,	Stimmel,
Capitolo,	Irvls,	Mullen,	Varallo,
Cioffi,	Jenkins,	Munley,	Wargo,
Clarke,	Jim,	Murray, J. J.,	Wheeler,
Comer,	Jones, F. R.,	Musto,	Williams, A.D., Jr.,
Curwood,	Jump,	Naugle,	Willard,
Dennis,	Kamyk,	Needham,	Wilt,
Devlin,	Kornas,	O'Donnell, J. A.,	Yatron,
Donaldson,	Kubitsky,	O'Donnell, J. P.,	Zimmerman,
Dougherty,	Leonard,	Parlante,	
Down,	Limper,	Pashley,	
Elberg,		Andrews,	
		Speaker	

NAYS—89

Ashton,	Gramlich,	McDonald,	Schaaf,
Blair,	Guthrie,	McInroy,	Shupnik,
Bower,	Helm,	Magee,	Snider,
Brenninger,	Henzel,	Mahan,	Stevens,
Brown,	Hocker,	Merry,	Sullivan,
Burns,	Holliday,	Miller, B. Z.,	Taylor,
Capano,	Horst,	Miller, H. G.,	Tompkins,
Cianfrani,	Isaacs,	Murphy, A.J., Jr.,	Trusio,
Crossin,	Johnson, A. W.,	Murphy, P. J.,	Ujobal,
Davis,	Johnson, R.,	Murray, H. P.,	Varner,
Dengler,	Jones, T. H. W.,	Murray, P. G.,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	Ogilvie,	Walsh,
Edwards,	Kernaghan,	O'Neil,	Weidner,
Eshback,	Kessler,	Perry, H. H.,	Wescott,
Eshleman,	Knecht,	Petrosky,	Whittaker,
Swing,	Kooker,	Polaski,	Williams, E. S.,
Farabaugh,	Kornick,	Polen,	Willaredt,
Fetterolf,	Lee, A. M.,	Pursley,	Wood,
Filo,	Lee, K. B.,	Renwick,	Worley,
Flynn,	Lippincott,	Rovansek,	Wynd,
Fulmer,	Lopresti,	Sakulsky,	Yetter,
Goodrich,			

NOT VOTING—23

Cooper,	Light,	Rigby,	Stoner,
Fineman,	Mihm,	Royer,	Strausser,
Fox,	Moran,	Rudisill,	Stroup,
George,	Nelson,	Scarcelli,	Thompson,
Kovolenko,	Odoriso,	Seltzer,	Welsh,
Lamb,	Reibman,	Stone,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 804, entitled:

An Act repealing Section 5 act of June 13, 1837 (P. L. 551) entitled "An act relating to roads highways and bridges" abolishing certain requirements concerning breadth of roads.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I wonder if I may interrogate one of the sponsors of this bill?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand that this balances the present law with reference to fixed road widths in all the state of Pennsylvania, or is it limited to certain class cities, townships or boroughs?

Mr. A. M. LEE. I will answer the gentleman, Mr. Speaker, by saying that it takes off the limitations on maximum widths and says they may be as wide as the Secretary of Highways shall, in his judgment, deem necessary.

Mr. TOMPKINS. The thought I have in mind is this: Would that give it on roads, state-aided roads, such as township roads, second class township roads? Presently the width is fixed by statute at 33 feet. Now would this give the Secretary of Highways the right to fix widths of state-aided roads in second class townships?

Mr. A. M. LEE. Well, the present law, Mr. Speaker, is that the width of a public road shall be not less than 33 feet, and in the present law there are certain maximum widths, 200 feet in certain cases and 120 feet in

other cases. This bill does not affect the provision relating to the minimum width of 33 feet.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Agnew,	Foerster,	Luigard,	Reidenbach,
Anderson,	Fox,	Lutty,	Renwick,
Arlene,	Frank,	McCandless,	Rigby,
Ashton,	Frascella,	McCann,	Riley,
Auker,	Fulmer,	McCormack,	Rovanssek,
Balthaser,	Gailey,	McDonald,	Royer,
Barton,	Gallagher,	McInroy,	Sakulsky,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Boies,	George,	Machmer,	Schwartz,
Bonner,	Gibb,	Magee,	Seltzer,
Boris,	Goldstein,	Mahan,	Sherman,
Bower,	Goodrich,	Markley,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Branca,	Guthrie,	Meholchick,	Snare,
Brenninger,	Hamilton,	Merry,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Brown,	Hefner,	Miller, H. G.,	Steckel,
Buchanan,	Helm,	Mills,	Stevens,
Burns,	Henzel,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stoner,
Cianfrani,	Horst,	Munley,	Sullivan,
Cioffi,	Irvs,	Murphy, A. J., Jr.	Taylor,
Clarke,	Isaacs,	Murphy, P. J.,	Tompkins,
Comer,	Jenkins,	Murray, H. P.,	Trusio,
Crossin,	Jim,	Murray, J. J.,	Ujobai,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Davis,	Johnson, R.,	Musto,	Varnier,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Dennis,	Jones, T. H. W.,	Needham,	Wall,
Dennison,	Jump,	Nelson,	Walsh,
Devlin,	Kamyk,	O'Dell,	Wargo,
Donahue,	Kee,	O'Donnell, J. A.,	Weidner,
Donaldson,	Keiser,	O'Donnell, J. P.	Wescott,
Dougherty,	Kernaghan,	Ogllvie,	Wheeler,
Down,	Kessler,	O'Neil,	Whittaker,
Edwards,	Knecht,	Parlante,	Williams, A.D., Jr.,
Elberg,	Kooker,	Pashley,	Williams, E. S.,
Eshback,	Kornick,	Perry, H. H.,	Willard,
Eshleman,	Korns,	Perry, P. E.,	Willaredt,
Ewing,	Kubitsky,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Wynd,
Filo,	Leonard,	Prendergast,	Yatron,
Fineman,	Limper,	Price,	Yetter,
Floyd,	Lippincott,	Pursley,	Andrews,
Flynn,	Lopresti,	Reibman,	Speaker

NAYS—3

Hocker,	Worley,	Zimmerman,
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NOT VOTING—14

Cooper,	Mihm,	Scarcelli,	Stroup,
Kovolenko,	Moran,	Stone,	Thompson,
Lamb,	Odorlsio,	Strausser,	Welsh,
Light,	Rudisill,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 325, entitled:

An Act providing for the regulation of lobbying requiring registration of lobbyists keeping accounts of contributions and of receipts and expenditures reports and

statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Anderson,	Fox,	McDonald,	Rigby,
Arlene,	Frank,	McKeever,	Riley,
Balthaser,	Frascella,	McLaughlin,	Rovanssek,
Bell,	Gailey,	Machmer,	Sakulsky,
Boies,	Gallagher,	Maxwell,	Schaaf,
Bonner,	Garlock,	Meholchick,	Schwartz,
Bower,	Gelfand,	Mills,	Sherman,
Branca,	Goldstein,	Monroe,	Shupnik,
Breth,	Hamilton,	Muldowney,	Schuster,
Burns,	Heavey,	Mullen,	Silverman,
Capano,	Hefner,	Munley,	Snider,
Capitolo,	Holt,	Murphy, A. J., Jr.	Stank,
Cianfrani,	Irvs,	Murray, J. J.,	Stevens,
Cioffi,	Jenkins,	Musto,	Stewart,
Clarke,	Jim,	Needham,	Sullivan,
Comer,	Jones, F. R.,	O'Donnell, J. A.,	Taylor,
Crossin,	Jones, T. H. W.,	O'Donnell, J. P.	Varnier,
Curwood,	Kamyk,	O'Neil,	Verona,
Dennis,	Kessler,	Parlante,	Walsh,
Devlin,	Kornick,	Pashley,	Wargo,
Dougherty,	Lee, K. B.,	Perry, H. H.,	Williams, A.D., Jr.,
Elberg,	Leonard,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Limper,	Petrosky,	Worley,
Farabaugh,	Lopresti,	Polaski,	Wynd,
Filo,	Luigard,	Polen,	Yatron,
Fineman,	Lutty,	Prendergast,	Yetter,
Floyd,	McCann,	Reibman,	
Flynn,	McCormack,	Renwick,	Andrews,
Foerster,			Speaker

NAYS—73

Agnew,	Fulmer,	Kooker,	Ogllvie,
Ashton,	George,	Korns,	Price,
Auker,	Goodrich,	Kubitsky,	Pursley,
Barton,	Gramlich,	Lee, A. M.,	Seltzer,
Blair,	Guthrie,	Lippincott,	Snare,
Boris,	Helm,	McCandless,	Steckel,
Bowman,	Henzel,	McInroy,	Stimmel,
Brenninger,	Hocker,	Magee,	Tompkins,
Brown,	Holliday,	Mahan,	Ujobai,
Buchanan,	Horst,	Markley,	Wall,
Davis,	Isaacs,	Merry,	Weidner,
Dengler,	Johnson, A. W.,	Miller, B. Z.,	Wescott,
Dennison,	Johnson, R.,	Miller, H. G.,	Whittaker,
Donahue,	Jump,	Murphy, P. J.,	Willard,
Down,	Kee,	Murray, H. P.,	Willaredt,
Edwards,	Keiser,	Murray, P. G.,	Wilt,
Eshback,	Kernaghan,	Naugle,	Wood,
Ewing,	Knecht,	O'Dell,	Zimmerman,
Fetterolf,			

NOT VOTING—23

Cooper,	Mihm,	Rudisill,	Thompson,
Donaldson,	Moran,	Scarcelli,	Trusio,
Gibb,	Nelson,	Stone,	Varallo,
Kovolenko,	Odorlsio,	Stoner,	Welsh,
Lamb,	Reidenbach,	Strausser,	Wheeler,
Light,	Royer,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1652, entitled:

An Act amending the "Employment Agency Law" approved July 31, 1941 (P. L. 616) changing definitions licensing criteria and licensing suspension and revocation procedures reducing fees for representative licenses changing the authority of employment agents with regard to charging fees and utilizing certain methods of doing business providing for minimum fees in certain types of engagements clarifying the applicability of other laws to employment agents changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1652 was debated on a prior day in a Session here and, at that particular date on debate of the amendment to the employment agency law, the debate indicated that there was objection to the word "knowingly" being removed from the law, to the effective date of the Act, and to those who would be subject to serving an apprenticeship or a period of time under a licensed employment agency. The bill was then recalled and amended, and each of those items has been inserted into the bill as indicated by the debate of that date.

I ask that the Members vote in favor of House Bill 1652 since each of the sections pertaining to those items discussed on that day in a prior debate have been corrected by amendment to meet their objections. I ask for an affirmative vote and believe that this is very good sound legislation amending the employment agency law.

Mr. FULMER. Mr. Speaker, I would like to interrogate the Majority Leader, Mr. McCann.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. FULMER. Mr. Speaker, would the Majority Leader advise the House whether or not a farmer who would make a personal trip to Puerto Rico to hire some migrant labor would come under this act?

Mr. McCANN. Mr. Speaker, I certainly could not answer that except to say that I would assume that any farmer who would be willing to make the trip to Puerto Rico to get migrant labor would not be subject to any employment agency laws.

Mr. FULMER. Mr. Speaker, supposing that this farmer would decide to take a trip to Puerto Rico, knowing that farmers are rather neighborly and half a dozen other farmers would say to him, now while you are in Puerto Rico, we know that you exercise good judgment, would you also get some migrant workers for us, would he come under this act?

Mr. McCANN. Mr. Speaker, I do not believe he would come under the act. I believe that falls under migrant labor contracts most of which are executed between agreements of farm organizations basically, but the individual farmer, I assume, could then execute his own agreement for migrant labor.

Mr. FULMER. Mr. Speaker, I am afraid probably my question was misunderstood. My question is to the Majority Leader, Mr. McCann, that should a farmer decide not to go through a farmers' organization or should he decide not to go through the Department of Labor but should decide on his own to go to, for example, Puerto Rico, at the same time he takes that trip he is negotiating for, say, six other farmers in his community, would he be subject to the penalties of this act?

Mr. McCANN. Mr. Speaker, I cannot answer the question. I believe that he would not, but I have no authority as to my statement that he would not.

Mr. FULMER. Mr. Speaker, does not this act say that a person who is an agent represents an employer and if one farmer who is acting in a neighborly fashion for another, would not he still be doing it as representing the second farmer?

Mr. McCANN. Your question, Mr. Fulmer, dealt with going to Puerto Rico to get migrant labor?

Mr. FULMER. That is right, sir.

Mr. McCANN. I cannot answer your question but I certainly could answer it as to the person dealing with employing or getting people for employment in other fields.

Mr. FULMER. But not necessarily the farm field?

Mr. McCANN. I could not answer it in the farm field, sir, and I have no authority to say that he would or would not be exempt. Puerto Rico does not fall under the federal statute dealing with migrant labor within the scope of migrant labor coming from another country, and I believe that all migrant labor coming from certain countries fall under the Federal Migrant Labor Law. I am not that well versed on the question dealing with the farmer.

Mr. FULMER. Mr. Speaker, maybe we could go into another field then of employment. I would like to ask the Majority Leader if a booking agent for a union would qualify as an employment agency?

Mr. McCANN. Mr. Speaker, will he repeat what he said?

Mr. FULMER. A booking agent, for example, for a musicians' union—they have a booking agent—would he be considered as an employment agency under this act?

Mr. McCANN. If I understand the gentleman correctly, a booking agent who books dates for musicians or orchestras and if, for example, the Music Corporation of America, that sets up dates for the entertainment of people, and musicians and musicians union would not fall under this act, if that is what the gentleman is referring to.

Mr. FULMER. Does this not say that the bill refers to entertainment?

Mr. McCANN. Yes, Mr. Speaker, but you said the booking agent dealing in the field of entertainment. Musicians, musicians' union, entertainment, such as, the Music Corporation of America I assume?

Mr. FULMER. Yes. And they would be excluded from this act.

Mr. McCANN. Mr. Speaker, they are excluded now. The Music Corporation of America books all over the United States and it does here in the Commonwealth.

Mr. FULMER. Well, Mr. Speaker, I would like to ask another question, if I may. Supposing, as we have in many high schools throughout the Commonwealth of Pennsylvania, these seasonal tournaments, like basketball tournaments or wrestling tournaments during the holidays, and supposing these supervising principals directs the coach to secure the officials for these events, therefore, he would be representing the school in the event. I am sorry, this may seem like a very silly question, but they have been asked of me and I could not answer them and if we have any people before the House who could answer it, it would not take anything from anyone. But the bill does

say that if either represents an employer, he comes under this act.

Mr. McCANN. Mr. Speaker, very clearly, he does not. For example, certainly certain athletic officials do book, both referees, umpires for athletic events, fall under normal P. I. A. A. regulations; they fall under school agreements dealing with the area they play in. Let us go a step farther as he has to employ, which many schools do, I assume ticket takers, ticket sellers, other types of people who operate the stadium for the school district or for the athletic coach, as the case may be. The answer is no, very distinctly.

Mr. FULMER. I thank the gentleman.

Mr. GOLDSTEIN. Will the Majority Leader consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Will the Majority Leader read page 6 of the bill, Printer's No. 1678?

Mr. McCANN. I have page 6, Mr. Speaker of 1678.

Mr. GOLDSTEIN. Now before the bill was amended it provided that in order to be qualified you had to be an employe of an existing employment agency for at least one year.

Mr. McCANN. That was correct, sir.

Mr. GOLDSTEIN. Now, your amendment states that in lieu of such prior employment by an existing employment agency an applicant shall be qualified if he has a degree from an accredited college requiring at least four years undergraduate study in the field of personnel relations or personnel management.

Mr. McCANN. That is right, sir.

Mr. GOLDSTEIN. Well, Mr. Speaker, do you believe that this opens the door to qualified people to become owners of employment agencies without working for an employment agency?

Mr. McCANN. Yes, Mr. Speaker, if for example, they attended the University of Pittsburgh, which is certainly a qualified four-year undergraduate school and they graduated in the field of personnel relations or personnel management, which was discussed by the gentleman from Centre County, Mr. Fulmer, on the previous debate, they would be and are in this bill, in lieu of the prior one year apprenticeship, eligible for the licensing of an employment agency since they graduated in the proper field.

Mr. GOLDSTEIN. If a man was a personnel manager of the United States Steel Corporation and never went to college, he would have to go ahead and work for an employment agency for one year under this bill. Would he not?

Mr. McCANN. I do not believe you will find that on page 6.

Mr. GOLDSTEIN. I mean does he qualify under this bill without being a former employe of an employment agency?

Mr. McCANN. "Has served with or been employed by an existing employment agency for at least one year during the five years prior to the application." If he met that qualification, would he not be eligible to be licensed?

Mr. GOLDSTEIN. Well, I asked you the question. You threw it back to me. I certainly do not think that a man who is a personnel manager for a corporation or for a

government is working for an employment agency. He is working for an employer and, therefore, I believe they are curative; they are restrictive in character and, to me, kind of a closed shop for existing employment agencies that have a monopoly on this type of business. If you had cured it, we could have voted for the bill. We do not think this amendment has done any good whatsoever.

Mr. McCANN. Mr. Speaker, in reply to the gentleman from Allegheny, Mr. Goldstein, I believe the amendments inserted in the bill do meet the situation and I certainly would have been most pleased to clarify to the clearest point that portion dealing with that. I believe you and I know quite well that if a man served as an employment officer, for example, with United States Steel or Jones and Loughran or some concern and he served in that capacity or served in the capacity of employing people, within the scope, he certainly meets the requirements of being eligible to operate an employment agency within the scope of the existing employment agency law and the amendments proposed to it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson,	Frank,	Markley,	Renwick,
Arlene,	Frascella,	Maxwell,	Riley,
Auker,	Galley,	Meholchick,	Rovansek,
Balthaser,	Gallagher,	Mills,	Sakulsky,
Boles,	Garlock,	Monroe,	Schaaf,
Bonner,	Gelfand,	Muldowney,	Schuster,
Branca,	Hamilton,	Mullen,	Schwartz,
Breth,	Heavey,	Munley,	Sherman,
Burns,	Hooker,	Murphy, A. J., Jr.	Shupnik,
Capano,	Holt,	Murray, J. J.,	Silverman,
Capitolo,	Irvls,	Murray, P. G.,	Snider,
Cianfrani,	Jenkins,	Musto,	Stank,
Cioffi,	Jim,	Needham,	Steckel,
Clarke,	Jones, F. R.,	O'Dell,	Stimmel,
Crossin,	Kamyk,	O'Donnell, J. A.,	Stone,
Comer,	Kornick,	O'Donnell, J. P.	Sullivan,
Curwood,	Leonard,	O'Neill,	Taylor,
Dennis,	Limper,	Parlante,	Trusio,
Devlin,	Lopresti,	Pashley,	Varallo,
Dougherty,	Lugard,	Perry, H. H.,	Verona,
Ellberg,	Lutty,	Perry, P. E.,	Walsh,
Farabaugh,	McCann,	Petrosky,	Wargo,
Filo,	McCormack,	Polaski,	Wheeler,
Fineman,	McDonald,	Polen,	Yatron,
Floyd,	McKeever,	Prendergast,	Yetter,
Flynn,	McLaughlin,	Reibman,	Andrews,
Foerster,	Machmer,	Reidenbach,	Speaker

NAYS—82

Agnew,	Fulmer,	Kooker,	Seltzer,
Ashton,	George,	Korns,	Snare,
Barton,	Goldstein,	Kubitsky,	Stevens,
Bell,	Goodrich,	Lee, A. M.,	Stewart,
Blair,	Gramlich,	Lee, K. B.,	Tompkins,
Boris,	Guthrie,	Lippincott,	Ujobal,
Bower,	Heffner,	McCandless,	Varnar,
Bowman,	Helm,	McInroy,	Wall,
Brenninger,	Henzel,	Magee,	Weidner,
Brown,	Holliday,	Mahan,	Wescott,
Buchanan,	Horst,	Merry,	Whittaker,
Davis,	Isaacs,	Miller, B. Z.,	Williams, A. D., Jr.,
Dengler,	Johnson, A. W.,	Miller, H. G.,	Williams, E. S.,
Dennison,	Johnson, R.,	Murphy, P. J.,	Willard,
Donahue,	Jones, T. H. W.,	Murray, H. P.,	Willaredt,
Down,	Jump,	Naugle,	Wilt,
Edwards,	Kee,	Ogilvie,	Wood,
Eshback,	Kelser,	Price,	Worley,
Eshleman,	Kernaghan,	Pursley,	Wynd,
Ewing,	Kessler,	Rigby,	Zimmerman,
Fetterolf,	Knecht,		

NOT VOTING—19

Cooper,
Donaldson,
Fox,
Gibb,
Kovolenko,

Lamb,
Light,
Mihm,
Moran,
Nelson,

Odorisio,
Royer,
Rudisill,
Scarcelli,
Stoner,

Strausser,
Stroup,
Thompson,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

RECONSIDERATION OF VOTE

Mr. SNARE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SNARE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 2 (Section 733.1), page 4, line 10, by striking out "Person" and inserting "registered architect"

Amend Section 2 (Section 733.1), page 4, line 12, by striking out "schools" and inserting "school buildings"

Amend Section 2 (Section 733.1), page 4, line 13, by striking out "when" and inserting "and"

Amend Section 2 (Section 733.1), page 4, lines 14 to 16, by striking out all of said lines and inserting "shall be kept on file"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

Mr. McCORMACK. Mr. Speaker, very briefly, I want to make a correction to what I said yesterday with respect to the practice in divorce action.

I was under a misunderstanding. I referred to the fact that when a complaint divorce was filed and the de-

fendant was not able to be served personally or by registered mail the Master determined where the last residence of the defendant was and then directed that publication of the complaint be in that particular county or city or state where the defendant's last known residence was. That was an incorrect statement. I was referring to the procedure after the complaint in divorce had been served by publication. There is no preliminary hearing to determine where the last known residence of the defendant was prior to the time that the complaint was actually published.

I, therefore, want to correct the record and say what was stated by me yesterday was not in accord with the fact or the practice.

Mr. O'DELL. Mr. Speaker, we sat here yesterday and heard this bill debated pro and con. We have heard the expression "feather-bedding" all year on different bills. It is my opinion that this is simply a newspaper feather-bedding bill and I ask everyone to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Agnew,	Foerster,	Lutty,	Rigby,
Anderson,	Fox,	McCann,	Rovanssek,
Arlene,	Frank,	McCormack,	Royer,
Ashton,	Frascella,	McDonald,	Sakulsky,
Auker,	Fulmer,	McInroy,	Schaaf,
Balthaser,	Galley,	McKeever,	Schuster,
Barton,	Gallagher,	McLaughlin,	Schwartz,
Blair,	Garlock,	Machmer,	Seltzer,
Boles,	Gelfand,	Mahan,	Sherman,
Bonner,	George,	Markley,	Shupnik,
Boris,	Gibb,	Maxwell,	Silverman,
Bower,	Goldstein,	Meholchick,	Snare,
Branca,	Goodrich,	Miller, H. G.,	Snider,
Brenninger,	Gramlich,	Mills,	Stank,
Breth,	Guthrie,	Monroe,	Steckel,
Brown,	Hamilton,	Muldowney,	Stevens,
Buchanan,	Heavey,	Mullen,	Stimmel,
Burns,	Helm,	Munley,	Stone,
Capano,	Henzel,	Murphy, A. J., Jr.,	Sullivan,
Capitolo,	Hocker,	Murray, H. P.,	Taylor,
Cianfrani,	Holliday,	Murray, J. J.,	Tompkins,
Cioffi,	Holt,	Murray, P. G.,	Trusio,
Clarke,	Irvie,	Musto,	Ujohai,
Comer,	Isaacs,	Naugle,	Varallo,
Crossin,	Jenkins,	Needham,	Varner,
Curwood,	Jim,	Nelson,	Verona,
Davis,	Johnson, A. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Johnson, R.,	O'Donnell, J. P.,	Walsh,
Dennison,	Jones, F. R.,	Ogilvie,	Wargo,
Devlin,	Jones, T. H. W.,	O'Neill,	Weldner,
Donahue,	Jump,	Parlante,	Wescott,
Donaldson,	Kamyk,	Pashley,	Wheeler,
Dougherty,	Keiser,	Perry, H. H.,	Whittaker,
Down,	Kessler,	Perry, P. E.,	Williams, A. D. Jr.,
Edwards,	Knecht,	Petrosky,	Williams, E. S.,
Elberg,	Kooker,	Polaski,	Willaredt,
Eshback,	Kornick,	Polen,	Wilt,
Eshleman,	Korna,	Prendergast,	Wood,
Ewing,	Kubitsky,	Price,	Worley,
Farabaugh,	Lee, K. B.,	Pursley,	Wynd,
Fetterolf,	Leonard,	Reibman,	Yatron,
Filo,	Limper,	Reidenbach,	Yetter,
Fineman,	Lopresti,	Renwick,	
Floyd,	Luigard,	Riley,	Andrews,
Flynn,			Speaker

NAYS—18

Bell,	Kee,	Magee,	O'Dell,
Bowman,	Kernaghan,	Merry,	Stewart,
Dengler,	Lee, A. M.,	Miller, B. Z.,	Willard,
Heffner,	Lippincott,	Murphy, P. J.,	Zimmerman,
Horst,	McCandless,		

NOT VOTING—14

Cooper,
Kovolenko,
Lamb,
Light,

Mihm,
Moran,
Odorisio,
Rudisill,

Scarcelli,
Stoner,
Strausser,

Stroup,
Thompson,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1365, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing applicability of act.

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMITTED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mineral Industries.

The motion was agreed to.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 2323, Printer's No. 1401, on page 13 of today's calendar, bills on third reading postponed.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and payment of such pensions," providing for additional payments to certain pensioned or retired employes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

RESOLUTION

CONDOLENCE

Messrs. KAMYK, DEVLIN, FILO, WILT, DONALDSON and GOLDSTEIN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 22, 1959.

On Sunday, September 20, 1959, Mr. James J. Lamb, of 1004 Herschel Street, Pittsburgh, Pennsylvania, the father of Thomas F. Lamb, a member of this House of Representatives, passed away.

Mr. Lamb, who, was associated with the Pennsylvania Railroad, was a fine citizen, the death of whom creates

a heartfelt loss to his many friends and loved ones; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania extends its sincere condolences to the widow of Mr. James J. Lamb, the former Agnes Dunn, and to his son, fellow member Thomas F. Lamb, and to the other surviving members of the family upon the death of James J. Lamb; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Agnes Dunn Lamb.

BIRTHDAY OF MEMBER

Mr. McCANN. Mr. Speaker, I believe it is the birthday of one of our Members here in the House, and I would like at this time to wish a happy birthday to our good friend from Philadelphia, Representative Parlante.

The SPEAKER pro tempore. The Chair would request a happy birthday song led by Dr. Dengler.

The Members joined in singing Happy Birthday.

The SPEAKER pro tempore. On behalf of the House the Chair wishes the gentleman from Philadelphia, Mr. Parlante, a very happy birthday and recognizes the gentleman.

Mr. PARLANTE. Mr. Speaker, I do not know what to say. I just want to say thank you to every Member in the House. Thank you.

BILLS INTRODUCED AND REFERRED

By Mr. J. A. O'DONNELL and

Mrs. MARKLEY.

HOUSE BILL No. 2396.

An Act amending the "Public Bathing Law," approved June 23, 1931 (P. L. 899), setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

Referred to the Committee on Rules.

By Mrs. REIBMAN, Messrs. McCANN,

POLEN and A. W. JOHNSON. HOUSE BILL No. 2397.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

Referred to the Committee on Rules.

By Messrs. TAYLOR, LIMPER

and SULLIVAN.

HOUSE BILL No. 2398.

An Act amending "The Administrative Code of 1929," approved April 19, 1929 (P. L. 177), further regulating resignation for members of the Pennsylvania State Police.

Referred to the Committee on Rules.

By Messrs. GRAMLICH, DAVIS

and O'NEIL.

HOUSE BILL No. 2399.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing penalties for throwing materials from vehicles or tractors.

Referred to the Committee on Rules.

By Messrs. GRAMLICH, DAVIS

and O'NEIL.

HOUSE BILL No. 2400.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GRAMLICH and DAVIS.

(Concurrent) RESOLUTION No. 115.

In the House of Representatives, September 22, 1959.

The upper Allegheny River flows through a storehouse of natural resources such as oil, forest products, coal, clay and sand. The area is also the home of many manufactured products like steel, machinery, oil equipment and other supplies.

At present, the Allegheny River is non-navigable through much of the Upper Allegheny Valley. Two or more dams between East Brady in Clarion County and Oil City in Venango County would, to a great extent, remedy this situation.

With navigable waters, there would be an additional practical method of transporting the natural and manufactured products of the area and the opening of new vistas to industry and prosperity; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact such legislation and appropriate such funds as may be necessary to build at least two dams between East Brady, Clarion County, Pennsylvania, and Oil City, Venango County, Pennsylvania; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. DAVIS, GRAMLICH, GOODRICH

and BRETH.

RESOLUTION No. 116.

In the House of Representatives, September 22, 1959.

Overbrowsing by deer has caused extensive injury to the timber industry which is engaged in a sustained yield forest management program. In some areas an excessive deer population has eliminated completely or greatly retarded the normal regeneration processes. The deer population should, of course, be preserved as one of our natural resources but we must also recognize our duty to the persons who suffer damage from deer; therefore be it

Resolved, That the Joint State Government Commission study and investigate the problem of forest crop damage by deer, and determine an equitable and efficient means of providing reimbursement to the persons suffering such damage; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 274

Mr. TAYLOR. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 274.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 114.

A Joint Resolution proposing an amendment to article

fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

SENATE BILL No. 125.

An Act amending the act of May 1 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto.

SENATE BILL No. 429.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptances and bills of exchange.

SENATE BILL No. 598.

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

SENATE BILL No. 650.

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

SENATE BILL No. 684.

An Act amending the act of April 13, 1943 (P. L. 49) entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

SENATE BILL No. 713.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" increasing the per diem payments and traveling allowance of delegates to conventions of county associations of township officers.

SENATE BILL No. 814.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

SENATE BILL No. 861.

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employees of school districts.

SENATE BILL No. 1064.

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care, maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

SENATE BILL No. 1084.

An Act reenacting and amending the act of June 21, 1957 (P. L. 392) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, we have had wonderful cooperation here today. I hope we can do the same thing next week if at all possible, and I feel confident we can do it if we work here two days very hard; we might be able to work a two-day schedule next week.

We will announce definitely regarding this on the floor of the House on Monday. I ask all the Members to give us another six-hour day and we will make it.

The SPEAKER pro tempore. The Chair would like to

express the appreciation of the Chair to the Members for the fine cooperation and attention they gave during this long afternoon. I hope you all enjoy a very late but good dinner.

ADJOURNMENT

Mr. AGNEW. Mr. Speaker, I move that this House do now adjourn until Monday, September 28, 1959 at 3:30 p.m. EST.

The motion was agreed to and (at 7:22 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, SEPTEMBER 23, 1959.

No. 96.

SENATE

WEDNESDAY, SEPTEMBER 23, 1959

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

O Lord, our God, we praise and bless Thy Holy Name for all Thy goodness to us; for the beauty of the common earth, for the trees and flowers, for the wonder of the changing seasons, and for life and opportunity for service.

We pray that Thy blessing will rest upon us, and that our work may be pleasing to Thee and for the well-being of those whom we represent.

Guide us as we return to our homes and assume our duties there, that there, too, we may give the best that we have.

Bless our loved ones, wherever they are. Keep us always loyal to Thee and then everything in this world will fall in its proper place. We ask it in Thy Holy name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILL No. 96 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 280), entitled "Nonprofit Corporation Law," changing permissible corporate names and changing the law with respect to devises, bequests and gifts in trust for the care and maintenance of cemeteries, burial ground or cemetery lots, trustees and substituted trustees thereof, sureties of such trustees, the investment of such trust funds and accounts of said trustees, and repealing certain acts and parts of acts relating to corporations.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 277 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 397 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253), entitled "An act relating to suits by shareholders against officers or directors in a corporation . . .," extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors, officers and other persons against certain expense.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 755 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," increasing the investment powers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 325, entitled:

An Act providing for the regulation of lobbying, requiring registration of lobbyists, keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists, and persons receiving contributions or expending money to influence legislation.

Which was committed to the Committee on Rules.

House Bill No. 804, entitled:

An Act repealing Sec. 5, act of June 13, 1837 (P. L. 551), entitled "An act relating to roads, highways and bridges, abolishing certain requirements concerning breadth of roads.

Which was committed to the Committee on Rules.

House Bill No. 1045, entitled:

An Act regulating service by publication in actions of divorce or annulment of marriage.

Which was committed to the Committee on Rules.

House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), increasing the fee for the renewal of an operator's license.

Which was committed to the Committee on Rules.

House Bill No. 1652, entitled:

An Act amending the "Employment Agency Law," approved July 31, 1941 (P. L. 616), changing definitions; licensing criteria and licensing suspension and revocation procedures; reducing fees for representative licenses; changing the authority of employment agents with regard to charging fees and utilizing certain methods of doing business; providing for minimum fees in certain types of engagements; clarifying the applicability of other laws to employment agents; changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department.

Which was committed to the Committee on Rules.

House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

Which was committed to the Committee on Rules.

House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48), entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia, to appoint stenographers as commissioners to administer oaths and take depositions," extending provisions of the act to various courts.

Which was committed to the Committee on Rules.

House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees; and allowing fishing in such licensed regulated fishing lakes and ponds without a fishing license.

Which was committed to the Committee on Rules.

House Bill No. 2078, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a minimum wage and fixing an overtime rate of pay for employees of school districts.

Which was committed to the Committee on Rules.

House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its power and duties; * * *

Which was committed to the Committee on Rules.

House Bill No. 2120, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), prescribing an alternative method for fixing the fair return of common carriers in rate proceedings.

Which was committed to the Committee on Rules.

House Bill No. 2269, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176) providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

Which was committed to the Committee on Rules.

House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, * * *, and making other technical changes therein.

Which was committed to the Committee on Rules.

House Bill No. 2279, entitled:

An Act repealing Sec. 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, * * *" removing prohibitions and procedures relating to profaning the Lord's day, the use of profane language and drunkenness.

Which was committed to the Committee on Rules.

House Bill No. 2327, entitled:

An Act amending the act of May 21, 1943 (P. L. 328), entitled "An act authorizing the Secretary of Highways, . . . to lay out, . . . and maintain flight strips and roads to the sites of war activities, . . . and making an appropriation," further regulating payment of property damages by the Department of Highways.

Which was committed to the Committee on Rules.

House Bill No. 2361, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

Which was committed to the Committee on Rules.

House Bill No. 2362, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), making technical changes and clarifying language.

Which was committed to the Committee on Rules.

House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement

benefits for certain annuitants of the Public School Employees' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the Public School Employees' Retirement Board; and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, . . ." providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. HARNEY, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights, and further regulating reports examinations and testimony of physicians.

BILL INTRODUCED AND REFERRED

Mr. LANE read in his place and presented to the Chair Senate Bill No. 1198, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing appropriations to reimburse persons for moral claims as a result of bodily injuries received due to accidents on real estate, buildings or structures negligently maintained by counties.

Which was committed to the Committee on Rules.

RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Elections, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. BERGER, from the Committee on Rules, returned to the Senate, House Bill No. 1775, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states for the endowment of Agriculture Colleges," making an appropriation for carrying the same into effect.

Which was re-referred to the Committee on Appropriations.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Elections, reported as amended, House Bill No. 1977, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes imposing additional duties upon the Secretary of the Commonwealth various county boards of elections and election officers courts various registration commissions chairmen of political parties or committees and officers and employees certain political subdivision further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel including their families in the event they are qualified electors further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers and providing penalties.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FOR THE GOVERNOR,

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1305, Printer's No. 1648, on concurrence in House amendments, recalled from the Governor, go over in its order. *

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1528, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L.) No. 32, providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1528, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1528, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Kalman,	Miller,	Silvert,
Berger,	Keller,	Mullin,	Stevenson,
Blass,	Kessler,	Murray,	Stiefel,
Camiel,	Koprivier, Jr.,	Pechan,	Taylor,
Chapman,	Kromer,	Propert,	Van Sant,
Confair,	Lane,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Elliott,	Mallery,	Sarra,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,
Hays,			

NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 689, entitled:

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3), entitled "Uniform Commercial Code."

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 689

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 689.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 315, entitled:

An Act amending the "Milk Sanitation Law," approved July 2, 1935 (P. L. 589), relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture establishing certain fees * * *.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 315.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1023

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1023, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), changing the publication provisions relating to auditors' reports.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1023

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1023.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliot,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations, to be held in the Appropriations Committee Room.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

The Chair wishes to announce that he is presiding at the request of the President pro tempore, M. Harvey Taylor.

ALHAJI UMARU GWANDU, M.B.S. SPEAKER OF THE
NORTHERN HOUSE OF ASSEMBLY, LOGARD
HALL, KADUNA, NIGERIA
PRESENTED TO SENATE

The PRESIDING OFFICER. The Senate of Pennsylvania is honored today by having a very distinguished visitor from Nigeria here, the Speaker of the Northern House of Assembly, Alhaji Gwandu.

I would like now to present to the Senate of Pennsylvania, for a word of greeting to us, from Nigeria, the Speaker of their House.

ALHAJI UMARU GWANDU. Mr. Speaker and Honorable Senators, it happens that I was just passing around by chance and learned that this august Body was sitting. Therefore, I said that it would be a good thing if I would just have a look around. I have the greatest pleasure in being invited here to address you. It is really a great honor to me. I was not expecting it at all.

Yesterday, when I arrived, I had the opportunity of meeting my colleague, who holds the same position, Mr. Andrews. He was, to my surprise, very kind and asked me to address his House. I was not expecting that either, but it was a very great honor. I thought it would be rather discourteous if, having known that this very honorable

and senior House was sitting, I did not pay my due courtesy.

I should like to assure you that I feel greatly honored my being invited to address both of your Houses of the Legislature of Pennsylvania. In fact, my government, I think, will now be fully convinced of the great admiration which the people of America have for Nigeria.

I should like to tell you that I am here at the invitation of the United States Government, through the auspices of the State Department, on an arrangement which has been made under a system called the Leader Exchange Program. I arrived in Washington on the twelfth of this month and I had the honor of finding the Congress in Session, but about to adjourn, I had the opportunity of meeting Members of both Houses there and here, too. When I heard that your State Assembly was in Session, I requested that Harrisburg should be made my first place to visit outside the Capitol of this vast County of the United States, which I hope to tour within the next fifty days.

I think the honorable Senators would like to know, briefly, something about Nigeria which, I gather, is so very little known, except by the officials of the State Department who are connected, of course, with business in that Country.

Nigeria is situated in West Africa and stretches from the coast further north up to the thirteenth parallel of latitude. It is an area comprising over 372,000 square miles, with a population of approximately just over 35,000,000 people. You can see, therefore, that the country, compared with the population of the area, is sparsely populated. There are vast areas for farming and for animals, and lots of arable land.

Also, I think you should like to know that the Country is divided into three regions or what are known here as States. There is the Northern Region, the part from which I come, and there is the Western Region and the Eastern Region. Then we have the Federal Capitol of Lagos, which does not belong to any region, but is a seat of government and also the place where the Federal House of Representatives meets. We have the Cameroons, which was formerly governed by Germany, but was taken over at the end of the first World War, 1914 to 1918, and is administered on behalf of the United Nations by the Nigerian Government. My Country, Nigeria, is virtually independent of the British Government and the three regions, at the moment, are self-governing and are all coterminous with the Federation. However, the whole Federation is going to become independent on the first of October, 1960. In fact, we are virtually independent and there is actually only the ceremony of handing over, which will take place on the first of October.

Our own system of legislation is almost similar to yours. I do not have time to tell you all the main differences, but I think you would be interested to know that the main, fundamental difference between your Legislature, both in the States and in the Congress, is that we have a ministerial form of government, like the British, in Nigeria. Whereas here, your heads of the Executive Branch are not Members of the Legislature. However, in our Country, the leader in the House of the party in the majority, which has returned to power, is asked by the Governor to form a cabinet. He then selects, from among the members of his party, people whom he considers com-

petent to become Ministers. These are then appointed as Ministers. Together, as a team, they run the day to day business of the Country; of course, under the check of the Parliament.

I think you will find it very interesting—I should have told the House of Representatives this, but I did not have the chance—to know how we check our government. Some of you may say, “Well, since the Ministers are members of the House and run the departments themselves, how are they checked?” This is the way they are checked: Nearly each morning, after the formal opening with prayers, messages and so on, as usual, as you do now, we have a question time. It is a time especially allotted for members to ask questions on the day to day business of running the Country. We allocate forty-five minutes for that specifically. The members—it does not matter from what party he belongs, a “back-bencher” or from the opposition but mostly, of course, from the opposition—ask the Ministers questions on what they are doing in their ministries. Members do get questions from their constituents, asking them to find out about something. They put down questions and read them from the floor of the House. Then, when the Minister answers the question, supplementary questions are asked. There is no limit to any supplementary questions unless, of course, the supplementary question is irrelevant to what the original question was.

Of course, our Sessions differ from yours in that we have Annual Sessions. At the beginning of a new Session, the Ministers submit a policy statement, which we call a speech from the throne, which is read by the Governor. Actually, however, it is a policy statement, prepared by the Ministers. We allow approximately about seven days for debating the statement or the speech from the throne. That is, the Government informs the Legislature what it proposes to do throughout the year, what sort of bills will be introduced, what has been done, what has been achieved and so on. The Members then have the chance of criticizing all of this policy and may even prevent the Government from introducing its legislation. Roughly, this is the way we check our own Ministers.

You may also like to know what are the important exports of the Country. The chief exports are cocoa—of course, you know what cocoa is because chocolate is made from cocoa. We have brown nuts or what you call peanuts. We have python skins. We have a large number of cattle, especially in the north. We have palm oil. We have tin, which, in fact, is mined in the Northern Region; columbite, bauxite, and many other minerals. We have sufficient coal for our own consumption and, also, we now have petrol, which has been discovered in the southern part of the Country. Our refinery will soon be set up. At the moment, crude oil is exported from the Country and refined in England. However, we are now setting up our own refinery and we are going to refine our petrol because it has now been confirmed that it has been discovered in large commercial quantities. Therefore, there is no need to take it and refine it in another Country.

We have started industries in our Country, in the north and in the Capitol of the Northern Region, in Kaduna. We have a big textile industry, where we make our own cloth from our own cotton. Also, we have cement factories which have been set up. We also have many other small industries, such as the making of soft drinks, et cetera.

Honorable Members, I do not wish to take up your time. You have a lot of business. I have had the greatest pleasure. You can see how pleased I am and how honored I am. I am sure the news will splash back to my Country very soon and I know how delighted my people will be: I am sure the people at the State Department will deeply appreciate this great honor which has been done to me.

Honorable Senators, I am very grateful to you and I say, “Thank you.”

The PRESIDING OFFICER. Mr. Speaker, on behalf of the Senate of Pennsylvania, I want to thank you for coming up and giving us that very fine talk.

Now I would you to meet, sir, the Leaders of the two parties in Pennsylvania, Senator Ruth, the Democratic Leader in the Senate, and Senator Berger, the Republican Leader in the Senate.

BILL INTRODUCED AND REFERRED

Mr. CONFAIR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. CONFAIR, WOLFE, TAYLOR, STEVENSON and WADE read in place and presented to the Chair Senate Bill No. 1199, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled “The Fish Law of 1925,” further regulating the catching, taking, killing and possession of carp.

Which was committed to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. PROPERT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Appropriations, reported as amended, House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

CALENDAR

BILL ON FINAL PASSAGE

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

Senate Bill No. 1105, Printer's No. 1426; and

Senate Bill No. 1112, Printer's No. 1427.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 10, Printer's No. 10; and

Senate Bill No. 290, Printer's No. 1460.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Blass,	Kessler,	Pechan,	Taylor,
Camel,	Kromer,	Propert,	Van Sant,
Chapman,	Lane,	Ripp,	Wade,
Confair,	Madigan,	Rooney,	Wagner,
DiSilvestro,	Mahady,	Ruth,	Walker,
Donolow,	Mallery,	Sarrafi,	Watkins,
Elliott,	McCreesh,	Scott,	Welner,
Flack,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,
Hays,	Miller,	Silvert,	

NAYS—3

Ehrgood,	Koprivier, Jr.,	Fleming,
		Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Order, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1046, entitled:

An Act prescribing penalties for failing to appear as required after being admitted to bail.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarrafi,	Welner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Fleming,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1423, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1071, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" regulating the advertising of merchandise offered for sale by certain businesses.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarrafi,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Fleming,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. ELLIOTT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection?

Mr. RUTH. Mr. President, we do not object to the offering of amendments. We object to the second set of amendments. We would like to have a vote on the amendments, leaving the tubercular patients at Hamburg. We object to that.

The PRESIDING OFFICER. But you have no objection to the offering of amendments at the moment?

Mr. RUTH. We have no objection to the offering of amendments.

The PRESIDING OFFICER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, third from last line of Title, by inserting after "transferring": "the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mount Alto and"; Amend Bill, page 9, by inserting between lines 14 and 15: "Section 4. The operation, control and management of the building known as Pennhurst Annex No. 1 located on the premises of the Samuel G. Dixon State Hospital at Mount Alto and the equipment, fixtures, furnishings and personal property therein are hereby transferred from the Department of Health to the Department of Public Welfare as a part of Pennhurst State Hospital. Utilities, including light, heat, water, sewage facilities and necessary maintenance shall be supplied by the Department of Health at the expense of the Department of Public Welfare"; Amend Sec. 4, page 9, line 15 by striking out "4" and inserting: "5".

On the question,

Will the Senate agree to the amendments?

Mr. ELLIOTT. Mr. President, I ask unanimous consent at this time to make a clarifying statement about these amendments.

The PRESIDING OFFICER. The gentleman may proceed.

Mr. ELLIOTT. Mr. President, I regret that Senator Weiner is not here, and I say that in no caustic way. I say it simply because yesterday, or last evening, whenever it was, he questioned the idea of putting this bill over and I promised him that within twenty-four hours I hoped that we would be able to come to some agreement on some questions that had been raised about this bill.

I should first like to make it clear to my colleagues in the Senate, Mr. President, that I am fully in support of this particular bill and I should like to have that unmistakably clear. I will support the bill with or without the amendments.

However, in the last several weeks, I have spent a great deal of time with Secretary Horting and Doctors Wilbar and Davis, and other people connected with both the Health and Public Welfare Departments, in re-examining some of the intents of this bill. I should like to say that in these discussions, I have learned much to my— I should not say surprise, because I have been aware of this—pleasure that the Department of Health has done a great deal in reducing not only the incidence of tuberculosis, but also in finding a cure. This has been particularly true of those in the younger ages. This is not so true of those in the older age groups. They would like to do more, if they could get a little more co-operation from those in the older age groups to take the examinations and so forth which are offered by the Department.

Due to their excellent work over the years, the Children's Annex of the Samuel G. Dixon State Hospital at Mont Alto, Pennsylvania, became almost empty as far as patient load was concerned. At about this time with the increasing incidence of mental retardation, the Department of Welfare asked the Department of Health if they could not use this practically empty Children's Annex at the Samuel G. Dixon Hospital to move in some of the mentally retarded.

I think all of us are not only aware of, but deeply concerned about the fact that on our mental retardation list right now there are some 3,000 cases which need institutional care. Therefore, this agreement was arranged, and the Children's Annex became an annex of the Pennhurst State Hospital for the mentally ill. This was approximately two years ago. About eighteen months ago, the Department of Welfare began moving patients into what is now known as the Pennhurst Annex. Today, there are approximately 415 mentally retarded children—and I think all of us are aware that we refer to them as children regardless of their age—in the Pennhurst State Annex.

I should like at this time, Mr. President, with the indulgence of yourself and of my colleagues in the Senate, to call to your attention some of the great strides that have been made by the Welfare Department and by the local people in this Pennhurst State Annex operation.

May I read from the Franklin County Medical Society—and, incidentally, I think you are aware that the Samuel

G. Dixon Hospital, where this annex is located, is located in Franklin County,—resolution which was adopted at a meeting not too long ago, which reads as follows, in part:

"The Chambersburg Hospital Medical Staff hereby expresses its acknowledgement of the outstanding contribution made by Doctor R. I. Jaslow to retarded children through his directorship of Pennhurst State School Annex No. 1 at South Mountain. Further, the staff feels that moving Pennhurst would disrupt the excellent care these unfortunates have been receiving and would be a serious injustice to these patients.

"The Chambersburg Hospital Staff encourages the support of all interested people in keeping this staff in tact at its present location.

"As the result of investigation, it is the staff's considered opinion that the quality care here in Pennhurst Annex No. 1 would be difficult to duplicate elsewhere."

May I make a correction, Mr. President, for the record? This is from the Chambersburg Hospital Staff and not the Franklin County Medical Society.

I have here letters for the American Legion Auxiliary, the V. F. W. Auxiliary, the nurses and staff at the Pennhurst State Annex, and I do have a letter from the Franklin County Medical Society, itself, which I would like to read into the record, if I can find it among all these other papers from all these interested people who have written.

The reason that I would like to read this into the record is because I acknowledge the fact that I am a layman in this particular problem, and I did want to have some medical authority to go on.

I quote from this letter:

"The Medical Society of Franklin County would like to express their strong disapproval of the intention to move and destroy the Pennhurst State Annex No. 1, South Mountain, Franklin County, Pennsylvania, as it has been very gratifying that the Commonwealth of Pennsylvania has such an efficient and economical operation with a very high standard of medical care.

"In addition, the spirit and morale of the employees has been unusual for institutional and hospital situations, and which creates the necessary home atmosphere and warmth so vital to patients with mental retardation.

"Furthermore, this operation has created a very warm and close community spirit and has been educational in many groups of society in regard to problems of mental retardation.

"It is also apparent that the formation of this organization in the community"—and here I would like to emphasize this—"has enlightened and made the public at large conscious of the need for support, and that something can be done for this type of patient, as has been exemplified by this particular institution in Franklin County."

There are other letters here from the Chamber of Commerce and other groups and organizations in Franklin County.

The point, Mr. President, in bringing these things to your attention is simply this. The present bill under consideration would change the Miner Hospital at Hamburg from the Department of Health to the Department of Public Welfare. It is said that this hospital, which has a 600 bed capacity, could be expanded by 400 beds to 1,000, and that this would then allow 1,000 of these mentally retarded, on the waiting list, to be moved into-

Hamburg. This is something that I support very strongly, and something concerning which I am very much in favor.

However, if the patients at the Pennhurst State Annex are then moved up to Hamburg after this expansion has taken place, the net gain in patient care among the mentally retarded is 585. If the patients are left at Pennhurst State Annex, and if this move goes through, there will not only be room for the additional 1,000, which they say can be taken care of at Hamburg, but also the 415, roughly, at Pennhurst State Annex. This then is a net gain of 1,000 as compared with 585. Therefore, of the 3,000 who are on the waiting list for institutional care and who must have this care, this move with these amendments will enable 1,000, in total, to be taken care of. Without the amendments, there would be a net gain of 585.

The amendments, Mr. President, are simply to guarantee that the patients at Pennhurst State Annex remain there. The amendments also, just like the bill, transfer Pennhurst State Annex from the Department of Health to the Department of Public Welfare.

There are costs involved, but we do not want to go into costs involved when we are talking about people. These are people who are sick physically, and people who are sick mentally. I am not going to stand here, or anywhere, and say that the mentally retarded needs are more important than the needs of tubercular patients. They are both in need, both kinds of patients, both kinds of people who suffer from these illnesses.

It would seem to me, however, that perhaps if careful study might be given, that the tubercular patients now in the Miner Hospital could be placed in the Dixon Hospital and in other State hospitals, leaving the Hamburg situation as it is under the bill, empty with 600 beds, allow for the expansion for 400 more beds and keep the people at Pennhurst, all probably within the same amount of expenditure, and, again getting back to my central point, with the addition of 415 to the net figure or net gain, if you want to call it that, which we are trying to achieve.

This is the purpose of these amendments, Mr. President. I ask those who feel they cannot support them for one reason or other, of course, not to do so. However, I ask those who feel that there is something in this idea of trying to provide not only 600 beds for the mentally retarded, but 1,000 beds for the mentally retarded, expand what we are trying to do under this bill, expand our services and expand the space for these people, to consider very seriously these amendments and perhaps vote for them.

Mr. RUTH. Mr. President, neither I nor our side have objection at all to these amendments, because we are interested in creating places for retarded children.

I have been informed, by people who were on the inside, of the wonderful work that the staff of the Pennhurst Annex and the people of Chambersburg and vicinity have done. I think it is one of the great works that has been carried on in the last few years, and I do not want to disturb that.

We have no objection at all to these amendments. If there are any amendments offered which will disrupt the plan for the Hamburg State Hospital, then I will have something to say. However, we have no objection at all

to these amendments because I know of the wonderful work that the people and the organizations around Chambersburg have done, and that the staff is doing for those children, and we do not want to disrupt that work.

Mr. ELLIOTT. Mr. President, I would just like to thank the Senator.

Mr. SEYLER. Mr. President, I rise not to object to the amendments, but to comment on two of the statements made by the gentleman on the other side who spoke in favor of the amendments.

In the first place, I noted with considerable interest the statements that he made, corroborated by medical people in his county, about the fine job the Public Welfare Department is doing in its operation of this. I regret that Senator Pechan and the other members of the committee, which dealt with the affairs of the Public Welfare Department, were not present because I think these remarks would have been illuminating to them. I am always glad to hear commendatory remarks for the operation of the Department of Public Welfare in this area.

The second thing on which I wanted to comment favorably regarding in the remarks of the gentleman concern his remarks to the point that we should not put dollars and cents above the interest to taking care of the unfortunates in our Commonwealth. I heartily endorse his sentiments, and I commend him to all the Members of the Senate, both in his own Caucus and in my own.

Mr. LANE. Mr. President, I, too, wish to congratulate the gentleman on his marvelous speech. I might say that when we start the debate on the General Appropriation Bill, I hope that he will follow through with his support to our side on amendments which have been justified by his remarks in regard to public welfare and the problems of the people, in general.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. FLACK. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 3, page 9, by inserting between lines 11 and 12: "Any person who is an inmate of the institution and is suffering from silicosis or tuberculosis shall not be discharged from the institution unless and until he has been certified as cured of either or both diseases or voluntarily leaves the institution. A voluntary withdrawal shall be evidenced by an instrument in writing.

"No new patients suffering from silicosis or tuberculosis shall be admitted to this institution after the effective date of this act."

On the question,

Will the Senate agree to the amendment?

Mr. RUTH. Mr. President, I do object to this amendment, but not for the reason that we do not want to help these people. However, under this amendment, there would be just a few over 100 tubercular patients in that Hamburg Hospital, along with may be 900 children. We

want to do everything we can for these people, but it would mean the carrying on of a staff of doctors and nurses and all the equipment to take care of just a little over 100 patients, when they could be moved to other institutions and all that money could be saved and could be utilized to take care of the children there.

The purpose is to create a hospital at Hamburg to take care of 1,000 children who have no place just now. They are in homes where, in many instances, they are in the way. They are not properly cared for because the people are not equipped. I believe it will be a thing that will not work out, to have two kinds of hospitals in one and carrying a staff of doctors and nurses which would be required to take care of just a little over 100 patients. They could very readily be taken care of.

I know of many instances with retarded children, where the families have to travel many, many miles. Out at Pennhurst and at the Pennhurst Annex in Chambersburg, there are many children from the Philadelphia area. Their families have to travel all the way to Chambersburg and are doing it. I do not think it would be much farther from the region where these 100 tubercular patients come from than they have to travel to go out to the other hospitals.

Therefore, Mr. President, I would like to be recorded as voting "no" on this amendment. I ask my colleagues to vote "no" on this amendment, also.

Mr. FLACK. Mr. President, in answer to the gentleman from Berks, the anthracite region has had a great many tuberculosis, silicosis and anthraco-silicosis cases, which have been sent into Hamburg and other institutions and they have been there over a period of years. I realize that may be the population of that type of patient has dropped. The people in the families of my District, particularly Luzerne, and in the Districts of Senator Scott and Senator Wagner, have had many of their miners who have been confined to this hospital. Under this amendment, we ask that those who are in there be left and no new patients be admitted in the wing that they are now in. I think they could probably handle them all right with the present staff they now have.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. ELLIOTT. Mr. President, I ask unanimous consent that House Bill No. 1861, Printer's No. 1054, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2172, Printer's No. 1330, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2216, entitled:

An Act amending the act of July 5, 1947 (P. L. 1217) entitled "State Public School Building Authority Act" authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mallery,	Sarraf,	Weiner,
Ehrgood,	McCreesh,	Scott,	Whalley,
Elliott,	McGinnis,	Shafer,	Wolfe,
Flack,	McMenamin,	Silvert,	Fleming,
Harney,	Miller,	Stevenson,	Presiding Officer

NAYS—3

Hays, Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2265, Printer's No. 1577;
House Bill No. 2267, Printer's No. 1340;
House Bill No. 2268, Printer's No. 1341;
House Bill No. 2270, Printer's No. 1343; and
House Bill No. 2271, Printer's No. 1576.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill

No. 136, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 203, Printer's No. 79, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 296, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" increasing the compensation of jurors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 301, Printer's No. 1399, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 308, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing the Pennsylvania State Police to charge a fee for accident investigation reports or portions thereof made available to interested persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 367, entitled:

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" increasing the compensation of witnesses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;

Senate Bill No. 447, Printer's No. 481;

Senate Bill No. 448, Printer's No. 1324; and

Senate Bill No. 449, Printer's No. 1325.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 453, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 542, entitled:

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 707, entitled:

An Act amending the act of January 18, 1952 (P. L. 2159) entitled "Pennsylvania Public Safety Commission Act" increasing the membership of the commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 727, entitled:

An Act to provide for one additional law judge of the court of common pleas in the seventh judicial district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 727, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 734, Printer's No. 1693, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 777, entitled:

An Act amending the act of April 14, 1834 (P. L. 333) entitled "An act relative to the organization of the Courts of Justice" requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 794, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 832, entitled:

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 853, Printer's No. 1464; and

House Bill No. 867, Printer's No. 1694.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 932, Printer's No. 1095, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 995, entitled:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police and limiting the use of the moneys received from such contracts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 998, Printer's No. 1673, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1001, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1198, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Lackawanna, Pennsylvania for the use of the Department of Revenue and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1030, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1031, Printer's No. 1215; and

House Bill No. 1076, Printer's No. 773.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE and HARNEY offered the following amendment:

Amend Sec. 3, (Sec. 6), page 7, lines 18 to 20; page 8, lines 1 to 9, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1133, Printer's No. 1370; and

Senate Bill No. 1136, Printer's No. 1373.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1175, entitled:

An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1176, entitled:

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to author-

ize the exercise of government powers and functions thereat during periods of emergency.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An act concerning devices bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof . . ." extending the provisions thereof to include political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1344, on second reading, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984) entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells conveys transfers releases quit-claims or agrees to sell convey transfer release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor grantor transferor releasor or persons who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith."

be recommitted to the Committee on Rules.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHADY. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. MAHADY. Mr. President, why is House Bill No. 1344, Printer's No. 1318, being recommitted to the Committee on Rules?

Mr. BERGER. Mr. President, it is being recommitted to the Committee on Rules to permit further study.

Mr. MAHADY. Thank you.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1438, entitled:

An Act amending the act of July 11, 1957 (P. L. 783) entitled "Fictitious Corporate Name Act" repealing the requirement that certificates of registration be cancelled after five years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1472, Printer's No. 640, on second reading go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388) entitled "Administrative Agency Law" providing for the applicability of the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 1614, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1639, Printer's No. 1396;

House Bill No. 1640, Printer's No. 1397;

House Bill No. 1646, Printer's No. 1486; and

House Bill No. 1649, Printer's No. 1487.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1725, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Polk Venango County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1730, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing the names of state penal and correctional institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2033, Printer's No. 1675, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2075, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing for promotions for certain retired persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the sale of borough owned electric light plants and the effect thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres more or less of land in Bensalem Township Bucks County and 13.34 acres more or less of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres more or less of land situate in Somerset Township Somerset County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE RESOLUTION, SERIAL No. 57, CALLED UP

Mr. BERGER. Mr. President, I call up, from page 18 of the Calendar, Senate Resolution, Serial No. 57.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study the establishment of a College of Food Technology in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 57, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL No. 60, CALLED UP

Mr. BERGER. Mr. President, I call up, from page 18 of today's Calendar, Senate Resolution, Serial No. 60.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study and define the term "machinery" with relation to the assessment of real estate in second class counties.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIES No. 60, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt this resolution.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE CONCURRENT RESOLUTION, SERIAL No. 116, CALLED UP

Mr. BERGER. Mr. President, I call up, from page 18 of the Calendar, Senate Concurrent Resolution, Serial No. 116.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study the higher education system in Pennsylvania

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIES No. 116, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

MOTION TO READ BILLS FOR THE FIRST TIME

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I object to House Bill No.

2326, House Bill No. 1748 and House Bill No. 1746 being read for the first time.

Mr. MAHADY. Mr. President, I would like to add to that objection Senate Bill No. 1059 and House Bill No. 1977.

The PRESIDING OFFICER. That includes all of the bills on first reading. There being objection, these bills will appear on Monday's First Reading Calendar.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, I would like to make just a few short remarks in regard to legislation which was sponsored by Senator Ruth, Senator Berger, Senator Pechan, Senator Silvert and myself, pertaining to foster homes for elderly people.

I believe this would be of interest to the Members of the Senate and to the people of Pennsylvania, as a whole. As you know, all this legislation has passed the House and the Senate, and is now on the Governor's desk. It is reliably estimated that there are at least 42,000 individuals housed today in institutions in all parts of Pennsylvania for the aged, sick and chronically ill. This includes nursing, convalescent homes, county institution districts, non-profit homes for the aged and commercial boarding houses for the aged.

Many of these people require no special services. They could live happily if given only the opportunity to enjoy the pleasures and benefits of family life with the friendship and companionship that such a home provides, and with a minimum of supervision that is necessary because of their vast years and the normal infirmities of their age.

There are more than 15,000 people in the county institution districts alone. Unless new methods are provided for their care and supervision, this group will continue to grow. In addition, there are many older persons in hospitals who were committed there during some acute phase of an illness and who have recovered only to find that the living arrangements today, which they had arranged at the time when they entered the hospital, are no longer available to them when they leave the hospital. In other words, they have no place to go. Since they are not able, because of their age and the result of the illness that they suffered, they cannot go back to the same form of independent living as they did in the past.

Senate Bills Nos. 141, 142 and 143 give clear authority to the counties to spend money for foster home care placement of adults who may be in county institutions. The bills will also give the Department of Public Welfare authority to set proper standards for placement agencies which will be involved in the foster care program when the bills make this possible.

The provisions of the bills safeguard older persons on public assistance against the loss of eligibility for continued assistance once they agree to placement with a family under the proposed foster care program.

The foster care plan, as proposed, is a specialized plan for the care of individuals who do not need the more professional and more costly services of an institution for nursing care. The plan provides for those older people in our State who are not sufficiently independent to be able to live in their own homes or in similar places in their communities.

These people, when the bills have become law, will be placed under proper supervision in carefully selected

private homes where they might enjoy the benefits of normal living as near as possible. They would have a home and at the same time, have proper supervision to protect them against the unavoidable hazards that come with advancing years. They would have a home in other words and, also, someone charged with the responsibility of looking after them to see that they receive proper medical care when they need it. In all probability, they would be supervised in regard to eating habits.

For many, perhaps, the foster home could be a step toward once more returning to their own homes. These people would then leave the foster home care program and no longer be the responsibility of the county or the State.

Many counties are faced with capital construction programs because of overcrowding and obsolete plants. The following counties are either building, have recently built, are drawing plans for building or are faced with the strong possibility in the near future of doing so. The counties are: Adams, Berks, Cumberland, Erie, Lancaster, Lehigh, Luzerne, Mercer and Somerset.

At a cost of \$8,000 to \$10,000 per bed, every 100 persons who can be placed outside of a county home represent a saving of from \$800,000 to \$1,000,000.

Allegheny County alone estimates that approximately 400 persons can be placed under foster home care once this program is put into effect.

Since the comfort and happiness of the older people under the foster care program is our first consideration, the savings in money paid out for construction costs can be used more effectively and with greater satisfaction to improve the services and care of the aged, and we will not need this institutional care.

We are quite confident that in the very near future this program will eliminate county homes in their entirety. We are very happy about this.

At this time, I want to publicly thank the Members of the Senate on both sides. I want to assure Senator Berger that I appreciate his co-operation because I think this is certainly a forward step and all of us can be proud of what we have accomplished.

Mr. MAHADY. Mr. President, at this time I think that I should inform the Members of the Senate that my many friends in South America and in Europe are wondering about what is going to happen to the Constitution of the United States because the rumor has it there that Vice-President Nixon is going to have it amended. The rumor is that he is requesting the people of the United States to amend the Constitution as to the requirements for the presidency so as not only to include being born in this country and being thirty-five years of age, but also requiring that they know Khrushchev.

Mr. Khrushchev is a guest in this Country, and I add my request to those who live in this Country and I remind them that he is a guest. We hope, and we even pray, that God will give enlightenment to his mind, so that what he sees here will enable him to appreciate the glories of liberty, because it has been well said that obedience without law is chaos, but obedience without liberty is tyranny.

There is no question about the fact that we want Mr. Khrushchev to know one thing; that the Vice-President's visit to Russia, the coming visit of the President to Russia and his invitation here does not mean the abandonment

of the millions of souls from those countries taken over by Russia. We do not intend and we will not tolerate the abandonment of these people to their fate. If it be interpreted that this move of neighborliness, by permitting him to come and visit among us, is the abandonment of these people to the fate of Communism and communist tyranny, we will be no part of it, because when Nixon was greeted in Europe, it was well described that 1,000,000 people pushed forward wide with fear. "Is there no hope. no chance of right?" A million lips implored. So it is with these people who are hoping, and placing their hope in this great Country for a deliverance from the bondage, the bondage of the Hammer and the Sickle.

Let no one interpret the visit, the kindness and courtesies we show here to Mr. Khrushchev as being abandonment of these people.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE ENACTMENT OF LEGISLATION REGULATING ADVERTISING DEVICES ON THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. WADE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. WADE, BERGER, WAGNER and STEVENSON offered the following resolution (Serial No. 70), which was read and referred to the Committee on Rules:

In the Senate, September 23, 1959.

Considerable controversy and confusion has arisen over 1959 House Bill No. 317, entitled "An act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways; providing for the acquisition of such devices and property used in connection with such devices by the Secretary of Highways; and providing penalties for violations."

It is imperative that a thorough study be made of this proposed legislation in order to determine whether or not its enactment would be in the best interests of our Commonwealth, as a whole. Briefly stated, some of the questions which must be resolved and facts which should be investigated as a prerequisite to action upon this bill are as follows:

One of the major arguments advanced by the proponents of this measure is that its passage would entitle Pennsylvania to bonus money for highway use. It is true that the 1956 Federal Highway Act, as amended, provides for a stated bonus payable over a period of many years to be paid to States which comply with Federal standards designed to ban outdoor advertising. The payment of such a bonus, however, is dependent upon the appropriation of funds by Congress for that purpose and, to date, no such appropriation has been made. Such a payment would also be dependent upon the wording of our act. The Bureau of Public Roads in Washington has recently stated that the language of the second proviso of Section 2, as it is now drawn, may raise serious doubt as to the ability of Pennsylvania to control advertising in accordance with the scheme established by the Federal law and as further defined by the national standards promulgated by the Secretary of Commerce. Specifically, the meaning of the clause "in the area in which such business activity is carried on" is rather vague and appears to be open to many possible constructions. In view of the provisions of Section 5 (3) of the bill, it appears that the category proposed to be established by the language of Section 2 is something other than one relating to "on premise signs."

If this is so, then House Bill No. 317 will not conform to the national standards.

Furthermore, it has been stated that the additional cost to the Commonwealth of constructing information sites, as authorized in the bill, would surpass the receivable bonus. The situation is further complicated by the provision of Section 6 of the bill which would authorize the establishment of informational sites. While the standards do not require that such sites be established, once the State has made the determination to construct them, under the language of the Federal standards, Class 3 and Class 4 signs must be placed in informational sites if they are available. In addition, even if there were no informational sites available, the 12-mile limitation of the Federal law and standards will still have to be met along with the "frequency and location" requirements of Section 20.7 of the Federal standards. The Secretary of Highways would also have to be endowed with authority to implement the general restrictions with regard to lighting and the like provided for in Section 20.8 of the Federal standards.

An additional complication arises from the fact that the Federal standards will be subject to further revision by the Secretary of Commerce of the United States by reason of the recently enacted Federal Highway Aid Act of 1959 which makes far-reaching changes to the bonus provisions of the 1956 Federal Highway Act.

Another fact which should be investigated is how many other States have passed similar legislation and their reasons for accepting or rejecting it. It is reported that only two States have adopted qualifying legislation to date, while numerous others have either rejected the bonus or adopted a "wait and see" attitude.

The prevention of accidents is another reason given for favorable consideration of this bill. Yet, a recent three-year study made by the Michigan State Highway Department in cooperation with the United States Bureau of Public Roads found no relationship whatsoever between accidents and highway signs. Leading insurance companies have conducted similar studies and arrived at the same conclusion.

It is also contended that billboards mar the beauty of the countryside, yet nothing is said of the numerous unsightly objects such as junkyards, hogpens, garbage dumps, automobile graveyards, dilapidated buildings and other eyesores along such rights-of-way.

The limitations which such legislation would place upon adjacent property owners is also a major factor to be considered. The loss of income to such property owners who would be deprived of such use of their own property, would probably result in reduced land values and in reduced tax moneys received by municipalities in which the land is situate. Serious consideration should be given to the sizeable legal claims which may be asserted against the Commonwealth as a result of this measure.

Moreover, the impact of this legislation on labor should be investigated. The jobs of those engaged directly and indirectly in the outdoor advertising industry are involved. In addition, there is to be considered the presently unknown potential damage to the sale of advertised products and services, and the resulting indirect impact on labor.

The resultant loss to the outdoor advertising industry, an industry which has contributed generously in free displays for many worthy causes, also should not be overlooked; therefore be it

Resolved, That the Joint State Government Commission be directed to study and thoroughly investigate the advantages and disadvantages to our Commonwealth of enacting legislation similar to 1959 House Bill No. 317, regulating advertising devices on the National System of Interstate and Defense Highways; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

ANNOUNCEMENT BY THE CHAIR CONCERNING LENGTH OF SESSION FOR THE WEEK OF SEPTEMBER 28, 1959

The PRESIDING OFFICER. The Chair would like to emphasize for the benefit of the few Senators who are

here and would ask you to tell your friends—although a notice will be sent from the Chief Clerk's Office—that it is planned to have a five day Session next week.

ADJOURNMENT

Mr. BERGER. Mr. President, in that connection and in connection with the motion I am about to make, the date of September 28, 1959 will figure prominently. The reason it is significant is because that date was set in the Senate Concurrent Resolution for the time we hoped to adjourn

this Session of 1959. However, Mr. President, it now appears that we may miss it by four or five days, but we will do the best we can to drive on to adjournment.

Therefore, Mr. President, I move that the Senate do now adjourn until Monday, September 28, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:11 o'clock, p.m., Eastern Standard Time, until Monday, September 28, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

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HARRISBURG, PA., MONDAY, SEPTEMBER 28, 1959.

No. 97.

SENATE

MONDAY, September 28, 1959.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Father EDWARD J. KRETZ, Assistant Pastor of St. Mary's R. C. Church, Ford City, offered the following prayer:

We are come, O God the Holy Spirit, we are come before Thee hindered by our many and grievous failings, but especially gathered together in Thy Name. Come unto us and be with us; vouchsafe to enter our hearts; teach us what we are to do and whiter we ought to tend. Sow us what we must accomplish in order that, with Thy help, we may be able to please Thee in all things. Be Thou alone the Author and Finisher of our judgments, Who alone with God, the Father, and His Son dost possess a glorious Name.

O God, Who didst teach the hearts of Thy faithful people by sending them the light of Thy Holy Spirit, grant us by the same Spirit to have a right judgment in all things and evermore to rejoice in His consolation, through Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 149, 356, 664, 699, 852 and 1104

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 149, Printer's No. 232, entitled "An Act amending the act of July 15, 1957 (P. L. 901) entitled 'Optional Third Class City Charter Law'

changing provisions relating to selection of city Charter commisisoners."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 356, Printer's No. 1322, entitled 'An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended 'Incompetents' Estates Act of 1955' providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or phychiatrist of any city-owned hospital or institution."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 664, Printer's No. 1398, entitled "An Act amending the act of January 18, 1952 (P. L. 2111) entitled 'An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws' further providing for leaves of absence of faculty members AND PRESIDENTS of State Teachers Colleges."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 699, Printer's No. 1367, entitled "An Act amending the act of June 4, 1943 (P. L. 886) entitled as amended 'Municipal Employes' Retirement Law' defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 852, Printer's No. 1104, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1104, Printer's No. 1310, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County."

DAVID L. LAWRENCE.

APPROVAL OF SENATE CONCURRENT RESOLUTIONS,
RECALLING FROM THE GOVERNOR
SENATE BILLS Nos. 824 and 835

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 824, Printer's No. 950, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 835, Printer's No. 1368, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

The PRESIDENT. These two bills will be laid on the table.

NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson, P. O. Box 628, Philipsburg, Centre County, for appointment as Justice of the Peace in and for the Borough of Philipsburg, Centre County, to serve until the first Monday of January 1960, vice J. Russell Duck, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE FRANKLIN COUNTY BOARD OF
ASSISTANCE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary C. Spanogle (Democrat), 80 North Second Street, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until December 31, 1960, and until her successor is duly appointed and qualified, vice Rev. Francis J. Heltshe, Chambersburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. J. McMahon, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from July 19, 1957, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
ALLENTOWN STATE HOSPITAL

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert P. DeGrosso, 1159 East Fourth Street, Bethlehem, Northampton County, for appointment as a member of the Board of Trustees of Allentown State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Wilfred A. S. Fritchman, Allentown, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE NAVIGATION COMMISSION FOR
THE DELAWARE RIVER AND ITS NAVIGABLE
TRIBUTARIES

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman Snyder, 905 Mt. Holyoke Place, Swarthmore, Delaware County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

Senate Bill No. 689, Printer's No. 1435.

REPORT FROM COMMITTEE

Mr. KROMER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House

Bill No. 794, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses, and extending the provisions of the act to include violations at certain additional parks.

REPORT FROM COMMITTEE ON EXECUTIVE
NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE STATE BOARD OF
CHIROPODY EXAMINERS

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years and until his successor shall have been appointed and qualified:

J. S. Pincus, Harrisburg, Dauphin County.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA LABOR
RELATIONS BOARD

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence P. Bowers, 131 North Fifth Street, Reading, Berks County, for reappointment as a member of the Pennsylvania Labor Relations Board, until June 2, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE FOREST COMMISSION

September 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reginald D. Forbes, R. D. 1, Ambler, Montgomery County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jerome F. Hipps, P. O. Box 428, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, to serve until the first Monday of January 1960, vice Vincent B. Lehmer, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Myerstown, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice Wilbur L. Glass, Adamstown, resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Messrs. FLEMING, WADE, RUTH and BARR read in place and presented to the Chair Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959," requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

Which was committed to the Committee on Rules.

The PRESIDENT. I believe that with this bill, Senate Bill No. 1200, we have set a record, at least for this Session.

Messrs. DONOLOW and SCOTT read in place and presented to the Chair Senate Bill No. 1201, entitled:

An Act amending the act of May 24, 1945 (P. L. 967), entitled "Fictitious Name Act," prohibiting assumed or fictitious names, styles or designations from being deceptively similar to other names, styles, or designations.

Which was committed to the Committee on Rules.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 1202, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Cambria County.

Which was committed to the Committee on Rules.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1203, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the provisions relating to the reading of the Bible in public schools.

Which was committed to the Committee on Rules.

Messrs. VAN SANT and SARRAF read in place and presented to the Chair Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for testing of brakes by means of a brake testing device.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, several weeks ago, I introduced a bill on the floor of this Senate, Senate Bill No. 1127, which would give the steel strikers in the Commonwealth of Pennsylvania a minimum unemployment compensation check in the amount of \$35 per week.

Last week, I was very surprised and overjoyed to see that a very influential Member of the Republican Party has agreed to give support to this bill. I read an article in the McKeesport newspaper whereby Senator Koprivier had stated that because of the curtailment and because of the need for money for the striking steelworker's family, he would support this bill. I am sure there are many other Republicans in the Senate of Pennsylvania who will also support this bill, if it is ever reported from committee. I am earnestly and honestly pleading with my fellow colleagues on the other side of the aisle, in the Rules Committee, to see whether or not they can report Senate Bill No. 1127 out of committee.

Today, in Pennsylvania, Mr. President, it is the seventy-sixth day of the steel strike. For seventy-six days, people have been standing in line in the city of Bethlehem, and in Pittsburgh, receiving powdered milk, powdered eggs, butter and cheese. Last week, I went over to the Depart-

ment of Property and Supplies and found that the Federal surplus food distribution on cheese and butter is even going to be relinquished. They do not know when they can ever expect anything more.

While the same strikers, striking for the same benefits and working for the same companies, in the State of New York are receiving \$45 per week, the poor strikers in Pennsylvania are getting absolutely nothing. I feel that now, we, in government, must take every course we can possibly take in order to alleviate this condition.

This resolution, Mr. President, which I am about to introduce, is asking the Senate of Pennsylvania to call on the President of the United States to see whether or not we can solve this terrible disaster which confronts the 125,000 steelworkers in Pennsylvania.

SENATE RESOLUTION

URGING THE PRESIDENT OF THE UNITED STATES TO USE THE FULL POWER AND AUTHORITY OF HIS OFFICE TO ACCOMPLISH A JUST AND FAIR SETTLEMENT OF THE STEEL STRIKE

Mr. ROONEY offered the following resolution (Serial No. 71), which was read as follows:

In the Senate, September 28, 1959.

The current strike which has paralyzed the American Steel Industry has had a catastrophic effect upon the entire American economy.

In Pennsylvania alone, 125,000 steel workers are idle, and 75,000 workers in allied industries are losing their wages as a direct result.

The result of the steel strike will be a serious injury to our total economy, a dangerous delay in our defense efforts, and a needless reduction in the standard of living of millions of Americans, therefore be it

Resolved, That the Senate of Pennsylvania respectfully urge the President of the United States to use the full power and authority of his office, including the lawful power of intervention, to accomplish a just and fair settlement of the steel strike and command such action at the earliest possible time, and be it further

Resolved, That a copy of this resolution be forwarded to President Dwight D. Eisenhower at the White House.

Mr. ROONEY. Mr. President, I ask for the immediate consideration of this resolution.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, the intent of this resolution is certainly very laudable. However, I believe it should be considered before the full Rules Committee, to which I am sure it will be referred. I wish to tell the Senator that we expect to have a meeting of that committee tomorrow, if he will permit the resolution to be referred, at which time we can act on it.

The PRESIDENT. There has been an objection, Senator Rooney, which automatically would send the resolution to committee. Are you willing that it be sent to committee?

Mr. ROONEY. Mr. President, taking into consideration that the Rules Committee is going to meet tomorrow, I sincerely hope that it will give serious consideration to this resolution.

Now that Mr. Krushchev has returned to Russia, I think we, in the United States, can come back and sit down and think what we are going to do for our own people. Pennsylvania is the hardest hit State in the Nation today.

Mr. BERGER. I am certain of that, Mr. President. I can assure the gentleman that this resolution will be

considered at the meeting.

The PRESIDENT. There being objection to the immediate consideration of this resolution, it is referred to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years and until his successor shall have been appointed and qualified:

J. S. Pincus, Harrisburg, Dauphin, County.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA LABOR RELATIONS BOARD

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence P. Bowers, 131 North Fifth Street, Reading, Berks County, for reappointment as a member of the Pennsylvania Labor Relations Board, until June 2, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE FOREST COMMISSION

September 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reginald D. Forbes, R. D. 1, Ambler, Montgomery County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jerome F. Hipps, P. O. Box 428, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, to serve until the first Monday of January 1960, vice Vincent B. Lehmier, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Myerstown, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice Wilber L. Glass, Adamstown, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafa,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

SENATE BILL No. 824, RECALLED FROM THE
GOVERNOR, TAKEN FROM TABLE

Mr. SILVERT. Mr. President, I call from the table Senate Bill No. 824, Printer's No. 950, which was recalled from the Governor, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 824

Mr. SILVERT. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; . . ." further providing for the taking of exceptions to rulings of the trial judge.

passed finally on August 4, 1959.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL ON THIRD READING AMENDED

Mr. SILVERT. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 14, by striking out "made during the presentation of evidence."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1305, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), empowering townships of the second class to levy assess and collect additional of the second class to levy assess and collect certain additional taxes under the provisions of said act.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE
HOUSE TO HOUSE BILL No. 1305, RECALLED
FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1305, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Proper,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarra,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

NAYS—1

Seyler,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 96

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 96.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 277

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 277.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 397, entitled:

An Act amending the act of April 18, 1945 (P. L. 253), entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved up him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 397

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 397.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 755, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 755

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 755.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,

Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 660, DEFEATED ON FINAL PASSAGE, TAKEN FROM TABLE

Mr. WEINER. Mr. President, I call from the table House Bill No. 660, Printer's No. 1569, which was defeated on final passage on September 22, 1959.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF HOUSE BILL No. 660

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and imposing the tax upon the gross receipts of gas companies.

failed of passage on final passage on September 22, 1959.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. CAMIEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CAMIEL. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that this bill appear on tomorrow's Final Passage Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MALLERY, BARR and WAGNER read in place and presented to the Chair Senate Bill No. 1205, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payment to joint boards under certain conditions by the Commonwealth for the acceptance of non-resident pupils and providing for installment payments.

Which was committed to the Committee on Rules.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 1206, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," further providing for the attendance of supervisors or employees at road meetings and conventions.

Which was committed to the Committee on Rules.

CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 1032

Mr. PECHAN. Mr. President, I move that the Senate do now reconsider the vote by which this bill passed third reading on August 25, 1959.

The PRESIDENT. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

Mr. WAGNER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL ON THIRD READING AMENDED

Mr. WAGNER. Mr. President, I ask unanimous consent, on behalf of Senator Berger and myself, to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after the word "tifications" the following: "and imposing certain duties upon the Joint State Government Commission"; Amend Bill, page 2, by inserting between lines 17 and 18 the following: "Section 2. The act is amended by adding after section 10 a new section to read: "Section 10.1. Evaluation and Report by Joint State Government

Commission.—The Joint State Government Commission shall evaluate the effect of the annual certifications of the board upon differently circumstanced school districts and report its findings and recommendations to the General Assembly"; Amend Section 2, page 2, line 18, by striking out "2" and inserting: "3."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I object to these amendments.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the affirmative.

Ordered, That the bill as amended lie over for printing.

THIRD READING CALENDAR

REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

Senate Bill No. 1105, Printer's No. 1426; and

Senate Bill No. 1112, Printer's No. 1427.

The PRESIDENT. Is there objection?

The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after "imposed": "and changing the penalties"; Amend Sec. 1 (Sec. 701), page 2, lines 14 and 15, by inserting a bracket before "suffer" in line 14 and after "law" in line 15, and inserting immediately thereafter: "undergo imprisonment for the period of his natural life with no parole or abatement of sentence"; Amend Sec. 1 (Sec. 701), page 4, line 11, by striking out "death" and inserting: "imprisonment for the period of his natural life with no parole or abatement of sentence"; Amend Sec. 1 (Sec. 701), page 4, lines 11 to 15, by striking out "where" in line 11, all of lines 12 to 15, and inserting: "Whoever is sentenced to imprisonment for the period of his natural life with no parole or abatement of sentence shall serve the remainder of his natural life in prison."

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, the purpose of these amendments is to remove from the Act the death penalty and to substitute therefor, as an alternative to life imprisonment, the stricter sentence of life imprisonment without parole. This would not, of course, remove the Governor's constitutional authority for pardon or commutation. However, it would remove the parole possibilities for a person who was convicted of first degree murder, if the jury recommended a stricter penalty.

I believe the amendments are worth-while, Mr. President. I will not mention the argument to humanity or to morality, although I think these are applicable. However, I would just like to mention two reasons why I think these amendments have merit. In the first place, Mr. President, there are other States which have eliminated the death penalty. The statistics, which we have after many years of experience, indicate that there is no greater incidence as a result of the removal of the death penalty in those States than there is in Pennsylvania or the States which have retained the death penalty. Therefore, Mr. President, it is not true to say—at least, there is no evidence to support the view—that the death penalty acts as a deterrent.

Secondly, Mr. President, there have been a number of cases, within recent years, where a person who has been convicted and sentenced and executed, and later it has been found that there have been errors made. There have been cases where persons have been convicted erroneously. Of course, if there is a death penalty and that penalty has been carried out, there is, of course, no opportunity to rectify that mistake.

For these reasons, Mr. President, I hope that my colleagues will support these amendments. I ask for a roll call, Mr. President.

Mr. STIEFEL. Mr. President, there should be one proviso which might enable some of us to be in favor of these amendments. There should be a proviso that at no time should there be a case before the Board of Pardons, whereby a man is sentenced to life imprisonment and then, fifteen or sixteen years later, he gets out. Once a person receives a sentence for life, for murder, he should stay in prison and die there. This would be the proviso I would see fit to support with these amendments. However, without it, I cannot vote for the amendments.

Mr. EHRGOOD. Mr. President, I do not like to find myself in continuous disagreement with the gentleman from York. However, I would like to ask all Members of this Senate to vote against these amendments which have been offered.

I do not want to go into the merits of the amendments because I do not think they are germane here.

The amendments, of course, as Senator Seyler so aptly pointed out, are on capital punishment. This bill has a great deal to do with procedure. Our present procedure has been criticized by not only the Federal Courts, but I am sure by many other judges. Senator Mullin did introduce Senate Bill No. 109, concerning capital punishment. Senator Seyler co-sponsored a resolution, Senate Concurrent Resolution No. 120, directing the Joint State Government Commission to study this whole subject of

capital punishment. I think that is the proper way to do it, instead of tacking on an amendment to this bill.

For that reason, Mr. President, I would request all Members of the Senate to vote against these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. SEYLER and were as follows, viz:

YEAS—12

DiSilvestro,	Lane,	Mullin,	Ruth,
Donolow,	McGinnis,	Murray,	Seyler,
Hays,	McMenamin,	Ripp,	Weiner,

NAYS—34

Barr,	Harney,	McCreesh,	Stiefel,
Berger,	Kalman,	Pechan,	Taylor,
Blass,	Keller,	Rooney,	Van Sant,
Camiel,	Kessler,	Sarraf,	Wade,
Chapman,	Koprivier, Jr.,	Scott,	Wagner,
Confair,	Kromer,	Shafer,	Walker,
Ehrgood,	Madigan,	Silvert,	Whalley,
Elliott,	Mahady,	Stevenson,	Wolfe,
Flack,	Mallery,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I just want to say one word on behalf of this legislation.

It is a rather progressive piece of legislation, and I think a little bit different than the average run of matter that we have before us. This would take a criminal trial, especially those cases dealing with murder in the first degree, and divide it into two parts. The first part would be that the jury would decide whether a man were guilty or not guilty of the crime. Once having decided on his guilt, the jury would return to the courtroom and then they would hear matters in regard to sentence. They would hear such matters as the man's character. They might even hear such matters as in mitigation, which is usually a matter that is taken at that time.

I think this is good legislation. It has, in the opinion of some, a shortcoming in that you are asking a jury to do what you expect a judge to do. Barring that, I think this is good legislation. It is the type of thing that is forward-looking and for that reason, we should support it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Kalman,	McMenamin,	Silvert,
Camiel,	Koprivier, Jr.,	Mullin,	Stiefel,
Confair,	Kromer,	Murray,	Taylor,
DiSilvestro,	Lane,	Ripp,	Wade,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraf,	Watkins,
Fleming,	McCreesh,	Scott,	Weiner,
Hays,	McGinnis,	Seyler,	

NAYS—16

Berger,	Harney,	Pechan,	Van Sant,
Blass,	Keller,	Rooney,	Wagner,
Elliott,	Kessler,	Shafer,	Whalley,
Flack,	Madigan,	Stevenson,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 290, entitled:

An Act requiring the approval by the governing bodies of political subdivisions of projects plans rates and charges of Authorities created by such political subdivisions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Koprivier, Jr.	Mullin,	Stevenson,
Berger,	Kromer,	Murray,	Stiefel,
Camel,	Lane,	Pechan,	Taylor,
DiSilvestro,	Madigan,	Ripp,	Wade,
Donolow,	Mahady,	Rooney,	Wagner,
Elliott,	Mallery,	Ruth,	Watkins,
Fleming,	McCreesh,	Sarra,	Weiner,
Harney,	McGinnis,	Shafer,	Whalley,
Hays,	McMenamin,	Silvert,	Wolfe,
Keller,			

NAYS—11

Blass,	Ehrgood,	Kessler	Van Sant,
Chapman,	Flack,	Scott,	Walker,
Confair,	Kalman,	Seyler,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 296, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" increasing the compensation of jurors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,

Fleming,
Harney,

McGinnis,
McMenamin,

Shafer,

Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 308, Printer's No. 333, on third reading, go over in its order for the purpose of securing amendments sometime tomorrow.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 367, entitled:

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" increasing the compensation of witnesses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 542, entitled:

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 707, entitled:

An Act amending the act of January 18, 1952 (P. L. 2159) entitled "Pennsylvania Public Safety Commission Act" increasing the membership of the commission.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 777, entitled:

An Act amending the act of April 14, 1834 (P. L. 333) entitled "An act relative to the organization of the Courts of Justice" requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 832, entitled:

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 899, Printer's No. 1055, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 995, entitled:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police and limiting the use of the moneys received from such contracts.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to inform the Members of the Senate that I have had a communication from the State Police, and they are opposed to this legislation. They are opposed to it not of what it does,—it would allow the State Police to enter into contracts to film a series on the activities of the State Police and case histories—but they felt this legislation might be an extra burden for them or burdensome to them to involve themselves in private contracts for this type of activity. They feel this might take up the time of the State Police which could be used to conduct State business.

It is for that reason that they are opposed to this legislation. They feel further study should be made and it should be looked into, to determine whether this could be done by some department other than the State Police, themselves, even though they are the beneficiaries under this fund.

Mr. PECHAN. Mr. President, I am sure there are enough votes here to pass this bill. However, I would like it to go over.

To be very candid with you, I did not know it was on Third Reading. I thought it was on Second Reading. I would like the bill to go over and perhaps tomorrow

if we are not too busy, I would like to show you the virtues of this bill because it is a pistol, or I would not have introduced it.

Mr. WEINER. Mr. President, I have no objection. However, I think the term "pistol" was used advisedly in this type of legislation. I have no objection.

Mr. McMENAMIN. Mr. President, on behalf of Broderick Crawford and others who might be interested, I want to thank Doctor Pechan.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I now ask unanimous consent that this bill, Senate Bill No. 995, on final passage go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1001, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President the Department of Public Instruction is against this bill for the following reasons:

It would greatly increase the cost to the Commonwealth of auditing and verifying reimbursements since these audits would be conducted in conjunction with the Auditor General's field audits.

It also would require a larger field staff. The bill fails to state how often the audits are to be conducted, and, also, the bill fails to provide that the Department of Public Instruction may continue such audits as require verification of compliance with the departmental regulations and accuracy and adequacy of attendance records and other records and accounts, and to verify the need for special aid grants.

The Department states that they favor House Bill No. 1543, which has passed the House and is over here now. They feel that the discretionary power to make these special audits being removed from the comptroller to the Department of Public Instruction to the Auditor General might be a loose way of handling this matter, where the responsibility basically is in the Department of Public Instruction in the area of reimbursements and the handling of these funds. They feel this would leave them without ability to handle a problem that is primarily theirs, and it would divide their function in two at a great increase in cost to the Commonwealth.

I, therefore, on behalf of the Department of Public Instruction, ask my colleagues to vote "no" on this legislation.

Mr. WAGNER. Mr. President, I believe this bill came out of the Education Committee, and I know of no expression from anyone in the Department of Public In-

struction, with whose chief personnel I have had numerous discussions about school legislation, concerning their opposition to this bill.

I think it impedes the progress of legislation when a department allows a bill to go to committee, allows it to be considered and allows it to roll, and then when it is ready for Final Passage, through other devious ways, expresses opposition to it.

It seems to me that the bill does what most of us have long since wanted. It provides for the Auditor General to really make sure that our vast millions of dollars expended on schools are expended properly, and it provides for the proper co-operation of the Department of Instruction in getting the necessary statistics from the schools on which the Auditor General can operate.

Personally, I have no rabid feeling about it, but I am hopeful that this bill will pass.

Mr. WEINER. Mr. President, the communique which I have here is dated August 13, 1959. I was under the impression, and perhaps I am under a misapprehension here, that this communique which was sent to me was also sent to Senator Wagner. If he has not received this communication, it is the fault of the department in not getting it to him. However, I do have an official communication here which deals with this matter. If the Senator would like to see it, I would be most happy to show it to him and bring to his attention the part of the bill which they feel is bad.

If the parties who are interested in this legislation and the department can come to some understanding, I would not stand in the way. I will ask that this measure go over, if that would be helpful. If there is no area for that type of agreement, I would just as soon leave this matter and dispose of it today.

Mr. LANE. Mr. President, reviewing this legislation, I am wondering if there is any money in the budget allocated to the Department of Public Instruction to pay for these additional services by the Auditor General's Department.

If I am in order, I would like to interrogate Senator Kessler, Chairman of the Finance Committee, who is an expert of our budgetary problems.

The PRESIDENT. Senator Kessler, will you permit yourself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, do you recall if there was any money allocated in our budget to the Department of Public Instruction for the purpose of paying the Auditor General for these additional services?

Mr. KESSLER. Mr. President, I can answer that question specifically. The budget calls for an appropriation to the Auditor General of \$1,200,000 to audit the Department of Public Instruction. It seems to me that would be adequate to cover these school audits, because I am sure that they have included that in their estimate.

Mr. LANE. If I understand you correctly, Senator Kessler, in the event this legislation passes and becomes law, you will, therefore, oppose any additional appropriation to the Auditor General for these services? Is that correct?

Mr. KESSLER. I will, sir.

Mr. WAGNER. Mr. President, without prolonging this matter unduly, Senator Weiner has been kind enough to give me this communication from the Governor's Office. The last paragraph, as he indicated, states:

The Department of Public Instruction strongly favors another bill, House Bill No. 1543, which amends this section and several others to provide a more co-ordinated program."

Be that as it may, I presume that the House has been alerted to this. Inasmuch as this is a Senate Bill, which has to go to the House, it seems to me it would be more expeditious for those of us who want to favor this program to vote for it and pass it, and we will have to let the final determination between the two bills to the other house.

Mr. WEINER. Mr. President, I sent that communication over to Senator Wagner, as the Chairman of the Education Committee, and I was not aware that he had not had a copy of it, for which I will apologize for the people who were supposed to send him a copy for not doing so.

I think primarily we should get some agreement here rather than send this bill over there and ask them to bring it out, when we already have the legislation here.

Perhaps our problems would be solved if we compared the two pieces of legislation while they are both here, and perhaps we could get the best out of them, if that is the purpose we are trying to accomplish.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—22

Barr,	Lane,	Mullin,	Sarraf,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1036, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania providing that each county city borough incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I am taking my position on this bill as I did heretofore on several other constitutional amendments. I believe, and respectfully submit to the Senate, that as long as we continue in this manner of patchwork amending of the Constitution, we will never have what we need in Pennsylvania; namely, a real, brand-new Constitution, adopted in a Constitutional Convention.

For this reason, Mr. President, casting a vote for an amendment like this one is simply detracting from the importance of the main issue.

Mr. MAHANDY. Mr. President, I want to point out to this group that should this become part of the Constitution of Pennsylvania, you would need an amendment to the Constitution to change the wages of the police in the future. It is inherently defective; it really should go back to committee or be defeated.

Mr. WEINER. Mr. President, this bill has not as yet passed Third Reading, is that correct?

The PRESIDENT. No, Senator, it has not.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I now ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer amendments to Senate Bill No. 1047, Printer's No. 1423.

For the information of the Membership, Mr. President, I will try to report to you as to the subject matter contained in these amendments. Most of you know that the Governor appointed a committee to work out some highway safety legislation. We met not too long ago and he made some other recommendations which I assured him I would attempt to follow through with.

What this legislation actually does is delete from Senate Bill No. 1047 the limited license feature which is contained in that bill. It also increases the period in which you acquire your points, from two to three years. You will now experience a suspension of operating privileges in the event you acquire seven points in any three year period. The way it is set up as far as speeding is concerned, I am informed that in the event you are driving in a fifty-mile zone, you must travel sixteen miles faster before you can be tagged with a suspension. In other words, if you are going fifty miles an hour, you must go sixty-six miles an hour before you are subject to a suspension of your operating privileges. The minimum, as I understand it, is fifteen days.

I might also say, Mr. President, that there is a feature in there whereby it does protect, in a way, the operators of commercial vehicles. They have advised me that any points acquired by a commercial operator, in the operation of his pleasure car, will not be applicable against the operation of his commercial vehicle. However, I asked the question—relative to an individual driving his pleasure car, who exceeded the speed limit and had his license suspended for fifteen days, which is the minimum, and I was advised that the suspension would also apply against his commercial privileges.

That is just about the gist of the legislation. I might say that it is rather strict. However, I respect the Governor in his thinking along this particular line because I believe that highway safety is one of the major problems not only confronting Pennsylvania, but confronting the entire Nation. I might also say that I am a firm believer in the point system. Each and every operator of every vehicle on our highways is familiar, from day to day, with what he is confronted with. He must realize that in the event he acquires seven points in any three year period, he will lose his operating privileges.

That is just about the gist of the amendments and the completion of my statement.

The PRESIDENT. Is there objection to the offering of these amendments? The Chair hears none.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out "clauses (2) and" and inserting: "clause". Amend Sec. 1, page 2, line 2, by striking out "and clause (2) of section 619"; Amend Sec. 1, page 2, lines 4 and 5, by striking out "clauses (2) and" and inserting: "clause"; Amend Sec. 1, page 2, line 5, by striking out "and clause (2) of section 619"; Amend Sec. 1 (Sec. 618), page 3, lines 1, 2 and 3, by striking out all of said lines; Amend Sec. 1 (Sec. 619), page 3, lines 11 to 20, by striking out all of said lines. Amend Sec. 2, page 4, lines 1 and 2, by striking out "two new sections" and inserting: "a new section"; Amend Sec. 2 (Sec. 619.1), page 4, lines 14 to 20; page 5, lines 1 to 6, by striking out all of lines 14 to 20, page 4; all of lines 1 to 5 "Six (6)" in line 6, page 5, and inserting: "Five (5)"; Amend Sec. 2 (Sec. 619.1), page 5 line 7, by striking out "2" and inserting: "5"; Amend Sec. 2 (Sec. 619.1), page 5, line 9, by striking out "4" and inserting: "7"; Amend Sec. 2 (Sec. 619.1), page 5, line 11, by striking out "6" and inserting: "10"; Amend Sec. 2 (Sec. 619.1), page 5, line 13, by striking out "8" and inserting: "12"; Amend Sec. 2 (Sec. 619.1), page 5, line 14, by striking out "(iii)"; Amend Sec. 2 (Sec. 619.1), page 5, line 16, by striking out "8" and inserting: "7"; Amend Sec. 2 (Sec. 619.1), page 5, line 18, by striking out "3" and inserting: "5"; Amend Sec. 2 (Sec. 619.1), page 5, by inserting between lines 18 and 19: "Subsection (a). Section 1002 To Fast for Conditions 4 points"; Amend Sec. 2 (Sec. 619.1), page 5, line 19, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 1, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 3, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 4, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 6, by striking out "Section" and inserting: "Subsection (b), Section"; Amend Sec. 2 (Sec. 619.1), page 6, line 7, by striking out "3" and inserting: "5"; Amend Sec. 2 (Sec. 619.1), page 6, by inserting between lines 7 and 8: "Subsection (a), (c), (d), (e), Section 1008 Limitations on Privilege of Overtaking and Passing 3 points"; Amend Sec. 2 (Sec. 619.1), page 6, line 8, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 9, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 10, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 11, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 12, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 13, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 15, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 17, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 6, line 19, by striking out "14" and inserting: "7"; Amend Sec. 2 (Sec. 619.1), page 6, line 20, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 7, line 1, by striking out "1" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 7, line 2, by striking out "2" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 7, line 3, by striking out "2" and inserting: "3"; Amend Sec. 2

(Sec. 619.1), page 7, line 4, by striking out "1" and inserting: "2"; Amend Sec. 2 (Sec. 619.1), page 7, line 5, by striking out "1" and inserting: "2"; Amend Sec. 2 (Sec. 619.1), page 7, line 6, by striking out "1" and inserting: "3"; Amend Sec. 2 (Sec. 619.1), page 7, line 9, by striking out "1" and inserting: "2"; Amend Sec. 2 (Sec. 619.1), page 7, line 11, by striking out "1" and inserting: "2"; Amend Sec. 2 (Sec. 619.1), page 7, line 14, by striking out "is" and inserting: "pleaded"; Amend Sec. 2 (Sec. 619.1), page 7, line 14, by inserting after "guilty": "entered a plea of nolo contendere or was found guilty"; Amend Sec. 2 (Sec. 619.1), page 7 line 15 by inserting after "619.1": "or whenever"; Amend Sec. 2 (Sec. 619.1) page 7, line 15, by inserting after "secretary": "finds upon sufficient evidence after a hearing that there was a violation he"; Amend Sec. 2 (Sec. 619.1), page 8, line 2, by striking out "two (2)" and inserting: "three (3)"; Amend Sec. 2 (Sec. 619.1), page 8, line 3, by striking out "two (2)" and inserting: "three (3)"; Amend Sec. 2 (Sec. 619.1), page 8, line 5, by striking out "two (2)" and inserting: "five (5)"; Amend Sec. 2 (Sec. 619.1), page 8, line 6, by inserting after "or": "three (3) to"; Amend Sec. 2 (Sec. 619.1), page 8, line 15, by striking out "in clauses (1) and (2)"; Amend Sec. 2 (Sec. 619.1), page 8, line 16, by striking out "(1)"; Amend Sec. 2 (Sec. 619.1), page 8, line 16, by striking out "speeding" and inserting: "violations"; Amend Sec. 2 (Sec. 619.1), page 8, line 17, by striking out "clause (1)"; Amend Sec. 2 (Sec. 619.1), page 8, line 18, by striking out "(i) One hundred and twenty (120) days when twenty (20)" and inserting: "(1) One (1) year when fifty (50)"; Amend Sec. 2 (Sec. 619.1), page 8, line 20, by striking out "(ii) Sixty (60) days when more than fourteen (14)" and inserting: "(2) Six (6) months when more than twenty-four (24)"; Amend Sec. 2 (Sec. 619.1), page 9, line 1, by striking out "twenty (20)" and inserting: "fifty (50)"; Amend Sec. 2 (Sec. 619.1), page 9, lines 2 to 18, by striking out all of said lines and inserting: "(3) Three (3) months when more than nineteen (19) but less than twenty-five (25) active points have been recorded. "(4) Two (2) months when more than fourteen (14) but less than twenty (20) active points have been recorded. "(5) One (1) month when more than nine (9) but less than fifteen (15) active points have been recorded. "(6) Fifteen (15) days when more than six (6) but less than ten (10) active points have been recorded"; Amend Sec. 2 (Sec. 619.1), page 10, lines 12 and 13, by striking out "both clauses (1) and (2) of"; Amend Sec. 2 (Sec. 619.1), page 10, lines 13, 14 and 15, by striking out "such suspension shall be" in line 13, all of line 14 and "the greater of said periods provided However that in no event shall" in line 15; Amend Sec. 2 (Sec. 619.1), page 10, line 16, by striking out "(e)" and inserting: "(b)"; Amend Sec. 2 (Sec. 619.1), page 10, line 16, by inserting after "619.1": "in no event shall"; Amend Sec. 2 (Sec. 619.1), page 10, line 19, by inserting after license: "nor shall active points recorded for offenses occurring while operating a commercial motor vehicle or a truck tractor be added to the active points recorded for offenses occurring while operating any other vehicle or vice versa for the purpose of suspending an operator's license or the right to apply for an operator's license"; Amend Sec. 2 (Sec. 619.2), page 11, lines 1 to 19; page 12, lines 1 to 19; page 13, lines 1 to 19; page 14, lines 1 to 20; page 15, lines 1 to 11, by striking out all of

said lines; Amend Sec. 3, page 15, line 13, by striking out "or" and inserting: "on"; Amend Sec. 3, page 15, line 16, by inserting after "act": "or which may be put into effect after June 1, 1960 for violations occurring prior to the effective date."

On the question,

Will the Senate agree to the amendments?

Mr. VAN SANT. Point of personal privilege, Mr. President. Going into the last half of the ninth inning, the score stands, Los Angeles, 3; Milwaukee, 2.

The PRESIDENT. That, at least, is helpful information, Senator Van Sant.

And the question recurring,

Will the Senate agree to the amendments?

Mr. EHRGOOD. Mr. President, I would request the Members of this Senate to vote against these amendments. As you know, I, along with Senator Lane and two Members of the House, am a member of a special Governor's Committee on Highway Safety.

Ordinarily, I would not ask that these proposed amendments be defeated except for the fact that this bill was on First Reading on August 10. Then it was on Second Reading on August 25; it was amended on September 9, and then amended on September 14. I am sure that we can possibly continue to work out matters in this point system bill with the Members of the House, after this bill has passed here in the Senate and goes over to the House.

Therefore, Mr. President, for that reason, I think these amendments should be defeated.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

An the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, in recent years, most everyone I know in government has been concerned very much with the number of accidents and deaths on our highways. While driving down here today, I was giving the thought of voting for this bill a good deal of consideration. When I arrived at the intersection of Routes 22 and 122, in Berks County, I came upon the scene of an accident which happened some time before. There was a tractor-trailer lying on its side. I could not help but wonder how the people who have as much right and have as much concern about highway safety as anyone in the Commonwealth, the professional drivers, feel about this legislation.

Therefore, Mr. President, I was very happy to have on my desk today, when I got here, a letter from Mr. Joseph A. McDonough, President, and Mr. Earl C. Bohr, Secretary-Treasurer, of the Pennsylvania Federation of Labor, speaking on behalf of the members of the Teamsters Unions around Pennsylvania, and other unions which are concerned directly with highway safety. I think it might not be inappropriate to read one or two passages from the letter in support of this legislation. They start the letter as follows:

"No one can be more concerned with the carnage on our public highways than are the working men and women of this Commonwealth. They are not only the bread-winners upon whose livelihood their families rely—they are parents of children whose tomorrow they wish to secure in whose very future depends upon maximum highway safety.

"It is, therefore, natural that we should be vitally interested in legislative proposals whose objective it is to bring about that maximum highway safety.

"Such a Bill is S. B. 1047, Printer's No. 1423—sponsored by Messrs. Lane, Wade, Ehrgood, Ruth, Mullin, Scott and Mallery. We have examined this Bill carefully and considered its detailed proposals. In light of what it seeks to accomplish—maximum highway safety through a practical and effective enforcement program."

It goes on further to say the following:

"We note that this Bill does not impinge upon, curtail or affect the prerogative of the Secretary of Revenue in dealing with such matters as drunken driving, hit-and-run driving, transporting narcotics and others, not specifically provided for in the Bill.

"We are pleased to note that amendments to this Bill make it possible to deal most severely with the irresponsible driver who would jeopardize the safety of school age children by passing school buses, and speeding through school zones, in violation of the law.

"We are also gratified that other amendments permit, for the first time, equally severe treatment of those drivers who engage in drag racing, or in other unlawful and reckless contests on our public highways.

"In short, we find that S. B. 1047, Printer's No. 1423, offers effective, durable and just enforcement of the code."

Mr. President and fellow Senators, this is an expression of opinion from the men who drive the most; the men who drive trucks, tractors, trailers and taxicabs for a living. On behalf of them and all citizens of Pennsylvania, I urge your support of this legislation.

Mr. WADE. Mr. President, I am delighted, indeed, to hear Senator McMenamin make a very eloquent plea on behalf of this bill.

A point system, in my judgment, is the most practical, fairest, most impartial and most scientific approach to highway safety. As I have explained to the Members of this Senate on previous occasions, four years ago, I sponsored, with others, a point system bill. At that time, the then Secretary of Revenue called a conference of several of us and requested that we not write that bill into law, hoping that the department, clothed with proper or sufficient authority at that time, would install a point system for an experiment.

Two years later, Mr. President, they asked for an extension of two years time before the point system be written into law.

I have come to the place, Mr. President, where I seriously question the Administration in its high sounding phrases regarding highway safety. Everybody agrees that a point system is a proper approach to that subject. Everybody is dedicated to highway safety on the roads. However, for the sake of the record, just let me point out some of the things that have happened to the point system. The point system, as developed over the four years, is as follows:

Senate Bill No. 351 is now on page 11 of our current Third Reading Postponed Calendar. It was the result, I repeat, of a four year study. It was introduced on March 2; reported, as amended, on May 4; amended on May 11; again it was amended on May 12; was read for the Second Time on May 18; it went over in its order on May 25; it went over in its order on May 26, June 1, June 2, June 8, June 9, June 15 and June 18. Then, on June 22, it was placed on the Postponed Calendar, where it has remained ever since.

On May 13, Senate Bill No. 762 was introduced by Senator Lane and Senator Ehrgood. The Governor had taken it upon himself to appoint a committee on highways and selected from the Senate two distinguished gentlemen, neither one of whom was on the Committee on Highways.

On August 4, we introduced the bill which we are about to act on now. The sponsors were Senator Lane, Senator Ehrgood, Senator Ruth, Senator Mullin, Senator Scott, Senator Mallery and myself. It was introduced, I repeat, on August 4; reported, as committed, on August 10 and received First Reading on August 10. It was approved by the Republican Caucus on August 11 for First Passage. It went over in order on August 11 and August 12; over in order on August 17, 18 and 19; over in order on August 24; Second Reading on August 25; went over in order August 31, again on September 1 and September 2. Again, it went over in order on September 7 and September 8; it was amended on September 9; amended on September 14; over in order on September 15 and September 16, and over in order again on September 21 and September 22.

That, Mr. President, is the history of this bill.

Is it any wonder that any Member of this Senate would question the sincerity of the Governor's Office in adopting a fair and impartial point system. Today, amendments are again offered to change the bill entirely. Therefore, Mr. President, we have every right to go ahead with this bill now and approve it in its present form. We should no longer tolerate the kicking of this bill around because we all know that a good point system, such as is contained in this bill, is endorsed by many organizations, as was pointed out by Senator McMenamin.

Therefore, Mr. President, I request that my fellow Members, on both sides of the aisle, vote "aye" on this bill.

Mr. LANE. Mr. President, Senator Wade is very correct when he says that I am not a member of his particular committee, and I am not so sure but I thought Senator Ehrgood was a member. However, I wish to remind the gentleman that I served on the Highways Committee when Senator Snowden was the Chairman, back in 1947.

I wish also to say, Mr. President, that the sponsors of this measure have co-operated, and I wish to publicly thank them for their co-operation and to pay tribute to the House Members for the work they have done in getting this bill together.

A point system, or a new venture on highway safety in the form of legislation, is a very difficult task, Mr. President. This bill has been on the Calendar a long, long time and has been amended many times. That I admit. However, when we are confronted with a population of approximately 11,000,000 people in Pennsylvania, and the hundreds of thousands of operators in the State, you must be doubly sure as to what you are doing in regard to new legislation.

This point system was patterned after the States of

Illinois, New Jersey and New York. I did not know until about three weeks ago that the point system which is in effect in the state of New York was put into effect by Executive Order. It is not legislation in the State of New York.

Senator Wade appears to be a little critical of the front office. Let me say to the gentleman that I have known Governor Lawrence as long as any Member of this Senate, and I know his family. I know that back in 1942, the Governor suffered a terrible loss. He lost two sons at one time in a highway accident and, naturally, he has more than a passing interest in highway safety, not only from the executive point of view but also from a personal point of view, just as I, too, have more than a passing interest in research as far as cancer is concerned because I lost my only son not too long ago.

Adding all these things up, I believe that I must defend the Governor of Pennsylvania because he is trying to do a good job, and he realizes the problems that we have. He realizes the problems of traffic in Pennsylvania. I have said on the floor of this Senate many times that we have a very difficult problem in controlling speeding on our highways.

I drive on the Turnpike every Sunday and I go back perhaps every Thursday. I travel between sixty and sixty-five miles an hour. Ninety-five percent of the drivers pass me, including the trucks, if you please.

Therefore, on the over-all, I think the Governor is doing a pretty decent job, and I admire him for his efforts. I offered the amendments because, in my conversation with him, he requested the amendments. I offered to do the job and I did it. Had the amendments passed, I would have voted for the bill. The bill, in its present form, is good legislation. I feel that it answers the need of the people of Pennsylvania.

As Senator McMenamin has said, it sets up severe penalties for violations of the Motor Code. It does not affect any mandatory revocations. The Secretary of Revenue has the right, under the present law, to proceed and revoke licenses for misdemeanors and felonies. What this legislation actually does is that it sets up two categories of points covering moving violations and covering speeding.

I hope that the Members of the Senate will vote for this legislation, because it certainly is a step forward.

I want to apologize to Senator Wade. I hope next Session someone will appoint me to his committee. I like to work with him.

And the question recurring,

Shall the bill pass finally?

REPRESENTATIVES OF TEAMSTERS UNION LOCAL 312, CHESTER, PRESENTED TO SENATE

Mr. WATKINS. Mr. President, I would like to ask unanimous consent to make an introduction at this time, and permission to say a few brief words about this bill.

Mr. President and gentlemen of the Senate, I take great pride today in introducing to the Senate of Pennsylvania Mr. N. Daniels and his assistant, Mr. Charles Freakas, from Local 312, Teamsters Union, of the City of Chester.

I would like these gentlemen to stand up and let the good Senators take a look at them.

The PRESIDENT. The Chair is very happy to welcome you gentlemen, on behalf of the Senate.

And the question recurring,
Shall the bill pass finally?

Mr. WATKINS. Mr. President, it is not often that Mr. Daniels calls upon me in reference to legislation. I might say that for thirty-two years, I have had the pleasure of doing business with this gentleman, and it just proves that Republicans have friends in the labor movement as well as our friends on the other side, the Democrats. For the thirty-two years that I have been in business and have had the pleasure of doing business with him from the standpoint of labor, I have never had a strike in my company. We have always been able to settle our differences. Sometimes it was pretty hot and then we cooled off, but we were always able to make an honest and a good working contract for our people. I want to say that I think Mr. Daniels is an authority on this type of legislation.

Today, I hold in my pocket a letter regarding a driver of a commercial vehicle who has worked for a trucker for some twenty-odd years. Somehow, in the State of New Jersey, he was picked up, if I might say, by radar. Today he has a suspension of five months before him, handed out by the Department of Revenue.

I say to you, Mr. President, that I have no hopes of having this suspension rescinded due to the law that is on the books and the strict enforcement of it by our Administration. However, I can say to you that if this man is discharged from his duties for five months, he loses his job and five children go on public assistance.

It is high time that we people here in the Senate of Pennsylvania, and the Administration here on Capitol Hill, start thinking a little bit about the working man and stop trying to kid him. This thing has been going on and it has been an injury to the Teamster employees and the employees of other companies for too long.

Mr. Daniels tells me, after going over this bill for one hour in my office, and I say, too, Mr. President, that from our good Senator Weiner, we hear what the Department of Public Instruction has to say about a bill, and I take this man's word as an authority—that this is the bill that the Teamsters want. Therefore, I ask all of my colleagues on this side and the other side to vote for this bill because I think he is an authority, even much better than myself.

Mr. MULLIN. Mr. President, I am going to vote for this bill. However, I think it is still very strict and very stringent.

A taxicab driver, and some other drivers, will drive over 50,000 miles a year, and under this bill, they can gather points for one or two violations, enough to take their livelihood away from them. I think this bill is not the final answer. However, I do think it is a step in the right direction, because it is very stringent punishment. Anyone, for any violation of the law, can have his livelihood taken away from him.

MR. CHARLES PIROLI, PRESIDENT OF THE
PHILADELPHIA TAXICAB DRIVERS UNION, LOCAL
156, PRESENTED TO SENATE

Mr. MULLIN. Mr. President, I would like to further comment that I think Senator Watkins did a very nice thing in introducing the two gentlemen from Chester,

but I also think we have a man here who has this bill vitally at heart. I would like to present to the Senate, Mr. Charles Pirollo, who is head of the Taxicab Drivers Union of Philadelphia.

The PRESIDENT. On behalf of the Senate, I welcome you, Mr. Pirollo.

And the question recurring,
Shall the bill pass finally?

Mr. LANE. Mr. President, this is the first time this Session that Bob Watkins has made a real good speech.

I was going to ask him whether or not he is in favor of radar, but in view of the fact that it may not be germane to the subject on the floor at this particular time, I will not do so.

Mr. WEINER. Mr. President, I did not intend to make a speech on this matter, but I just want to point out that I think all of us should bear in mind that the Governor has stated on many occasions, and in many discussions on this very subject, that he is interested in saving the lives of the people who live in this Commonwealth and others who come into the Commonwealth.

We should also bear in mind that driving an automobile is not a right but a privilege, and if we abuse that privilege, at that point, the government must take some action to protect all of the citizens. People who drink or engage in any activity which may endanger the lives of any one of us or our families are a direct menace, and some action should be taken against them.

The Governor's position has been, and always has been, that the people who inhabit this Commonwealth are those whom we have to bear in mind. We are more interested in taking care of those people than we are about who can drive, who cannot drive or whether they have committed some sort of a violation. I do not say that we have to punish these people or unduly cause them economic harm, because that is irreparable once it has been done to anyone. By the same token, let us bear in mind the many, many people are killed on our highways or maimed for the rest of their lives, when all they did was cross a street or take a drive with their families.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, Mr. DiSilvestro, will state it.

Mr. DiSilvestro. Mr. President, Senator Lane said that my good friend, Senator Watkins, made his best speech when he spoke about this bill. I say that Senator Watkins made the best speech when he talked to many of his colleagues in this Senate and asked them to pass the horse bill in Pennsylvania. That would have helped us in our tax problems, and it would have helped us in many other ways.

I would like to point out to my friend that in presenting the heads of the Union from his county, he prevented me from presenting my "paesano," because I yielded to an Irishman. I wanted to bring out the point that Philadelphia is lucky to have a fellow like Charlie Pirollo, who is a perfect example of a Union leader. He has been re-elected time and time again because he shows the qualities of integrity and honesty.

Again, I say to Senator Lane that if we had more men like Senator Watkins in this Senate, we would have a

horse bill. We would have those horses racing around the tracks in Pennsylvania, and we would get the money that other States now get.

Mr. SILVERT. Mr. President, I just wish to make this comment. It is very seldom that we hear such wonderful oratory on a bill in this Chamber to which there appears to be no opposition.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE BILL No. 2268 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 9 of today's Third Reading Calendar, House Bill No. 2268, Printer's No. 1341.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHADY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 2, by striking out "and" where it appears the second time; Amend Section 1, page 2, line 2, by inserting after "mining": "in the opinion and in the discretion of the department"; Amend Section 1, page 2, line 2, by inserting after "of": "such"; Amend Section 1, page 2, line 4, by inserting after "waters" where it appears the second time: "sufficiently large to constitute a hazard to mining in the opinion and in the discretion of the department"; Amend Section 3, page 3,

line 4 to 13, by striking out "or if" in line 4 and all of lines 5 to 13; Amend Section 4, page 3, lines 14 and 15, by striking out "Notwithstanding the minimum require-" in line 14 and "ments of section 3 no" in line 15, and inserting: "No"; Amend Section 8, page 5, line 18, by striking out "colliery" and inserting: "mine"; Amend Section 9, page 6, line 8, by striking out "colliery premises" and inserting: "mine."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 2268, Printer's No. 1341, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REMAINING BILLS ON THIRD READING
CALENDAR

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Third Reading Calendar, not acted upon, go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that all bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

FIRST READING CALENDAR

APPROPRIATION BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1977, entitled:

An Act amending the act of June 3, 1947 (P. L. 1333) entitled "Pennsylvania Election Code" authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes imposing additional duties upon the Secretary of the Commonwealth various county boards of elections and election officers courts various registration commissions chairmen of political parties or committees and officers and employees certain political subdivisions further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel including their families in the event they are qualified electors further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as committed, House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 794, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," providing that violation of certain rules promulgated by the Department of Forests and waters shall be summary offenses and extending the

provisions of the act to include violations at certain additional parks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. MULLIN. Mr. President, I have in my hand here a clipping from yesterday's Philadelphia Bulletin. It is headed: "Taylor Backs \$58 Million Cut in Budget." Underneath, it says: "No More Gravy For Davy."

I think that the Governor is a very dignified man and I do not think the Governor would say, "No More Gravy for Harvey." I believe the Governor is entitled to a lot of respect for the dignified way he is conducting his office.

The cynicism which is implied in this remark certainly is borne out by the fact that the so-called gravy happens to be items for the retarded, the mentally ill and for various programs for people who cannot help themselves. If that is what is intended to be "gravy for Davy," I know that Davy will not get anything from it, but I do know that a lot of worthy people in this Commonwealth will be given some benefits if these cuts do not take place.

However, Mr. President, I want to point out that Republican deficits for twenty years strained the credit of the Commonwealth to the breaking point by overestimating the tax returns, and the fat Republican budgetary appropriations make this "gravy" remark appear to be a defensive complex. It is dangerous because it is intended to be misleading. To attribute the Republican budget fakery to the Democrats is a false premise upon which the sincere and honest work of the Democrats cannot be based. Such remarks are intolerable, and I want to say that the "gravy" was gone by the time the Democrats came into power.

BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 1207, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring the use of laminated safety glass as defined therein.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 29, 1959, at 12:30 o'clock, p.m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 6:28 o'clock, p.m., Eastern Standard Time, until Tuesday, September 29, 1959, at 12:30 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, September 28, 1959

The House met at 3:30 p. m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, may Thy great light of truth ever shine within our lives, may we practice in our daily living those great principles of religion and morality we have come to know and believe; and may every true virtue cement us in the bonds of Thy great love, a deeper friendship with our associates, and a keener sense of our responsibility to the people we serve; so that we may procure Thy gracious favor; through Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, August 31 and Tuesday, September 1, 1959? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 22, 1959 will be postponed until printed.

The Chair hears none.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as amended, House Bill No. 1342, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) excepting certain clubs from the quota limitations.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 437, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to State Teachers' Colleges; authorizing contracts to lease and leases by Department of Public Instruction from the Authority of any additions or improvements to State Teachers' Colleges and the furnishing and equipment thereof when used or occupied authorizing subleases of such projects and increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor and allocating the proceeds of the increased borrowing.

Mr. McCANN from the Committee on Rules, re-reported as amended, House Bill No. 3, entitled:

An Act providing for and regulating horse racing, other than harness racing, with pari-mutuel wagering on the

results thereof; creating the State Horse Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of horse racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 355, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2366, entitled:

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2367, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing that the commission allowed to recorders of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties; and requiring recorders of deeds to act as such agents.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2373, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), making the Capitol Police force an independent administrative agency.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), authorizing tax collectors to deduct commissions from taxes which he has collected.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2377, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2382, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the provisions which make certain wordly employment unlawful on Sunday.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while em-

ployed in the service of certain governments and validating and confirming such payments previously made.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2390, entitled :

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2393, entitled:

An Act providing for an Office of Administrator for the State Courts and a Judicial Council.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law," approved June 23, 1931 (P. L. 899), setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2399, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing penalties for throwing materials from vehicles or tractors.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 2400, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the Department of Highways to maintain receptacles for trash and litter along State highways.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after

quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of shareholders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchange of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by Block v. Baldwin Locomotive Works 75 D & C 24 and Marks v The Autocar Co 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 697, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 698, entitled:

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof; and repealing certain acts and parts of acts relating to railroad corporations.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for computation of withdrawal allowances for members of Class E who served on the Supreme or Superior Courts.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions ex-

cepting certain work from the provisions which makes wordly employment unlawful on Sunday.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

Mr. McCANN, from the Committee on Rules, reported as committed, House Resolution No. 113.

Mr. McCANN, from the Committee on Rules, reported as committed, House Resolution No. 116.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Resolution, Serial No. 114.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2366, entitled:

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2367, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing that the commission allowed to recorders of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties; and requiring recorders of deeds to act as such agents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2373, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), making the Capitol Police force an independent administrative agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), authorizing tax collectors to deduct commissions from taxes which he has collected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2377, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2382, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the provisions which make certain wordly employment unlawful on Sunday.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2393, entitled:

An Act providing for an Office of Administrator for the State Courts and a Judicial Council.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law," approved June 23, 1931 (P. L. 899), setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2399, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing penalties for throwing materials from vehicles or tractors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2400, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information produced or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of shareholders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by Block v Baldwin Locomotive Works 75 D & C 24 and Marks v The Autocar Co. 153 F Supp. 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 697, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 698, entitled:

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof; and repealing certain acts and parts of acts relating to railroad corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverages manufacturers to give distributing rights to importing distributors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for computation of withdrawal allowances for members of Class E who served on the Supreme or Superior Courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provision which makes wordly employment unlawful on Sunday.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 661, 662, 959, 1071, 1847 and 2100.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1566.

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court except in counties of the

first class and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1528.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L.) No. 32 providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 689.

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 315

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 315.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589) relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture establishing certain fees * * *.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1023

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) changing the publication provisions relating to auditors' reports.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2216.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

With the information that the Senate has passed the same without amendment.

PERMISSION TO ADDRESS HOUSE

Mr. SCHAAF asked and obtained unanimous consent to address the House.

Ladies and gentlemen of the House, for the past several bienniums the state of Pennsylvania has appropriated vast sums of money going into the millions of dollars for use in Erie County. I speak specifically, of course, of the port development work which has been going on at Erie; I speak also of the rehabilitation of our peninsular area, and I speak, of course, of a program which is common throughout the state of Pennsylvania, the redevelopment of blighted areas.

One of Erie's major problems has been a geographical problem. We are remote, to say the least, from the rest of the state. The only railroad that connects us with the balance of the state for the better part is, of course, the Pennsylvania Railroad, and any of you gentlemen or ladies who have been unfortunate enough, and I use the term advisedly, to ride the "puncher," as we sometimes call it, up over the mountains into Erie, will realize our problem.

We here in the House, and I speak of my colleagues, Mr. O'Dell and Mr. Blair on the minority side of the House, and Mr. Polaski and myself on this side of the House, on an average it takes us approximately seven hours to travel from Erie down to here. It is three hundred miles over the hills, and three hundred and fifty miles if you go by way of the Turnpike.

I had a very interesting conversation with the Senator of the Majority party last Wednesday night, which happened to be over a glass of beer. We were speaking of the possibility of passage of the so-called one cent gas tax. Whether you gentlemen of this House, or you ladies, realize this or not but in all probability the sole possibility of making Erie less remote from the rest of the state rests with the passage of that one cent gas tax. This Senator in the Majority party advised us that it would take a miracle to pass this particular tax in that House. This being the case, I wonder if he has any appreciation, and I wonder, for that matter, whether the Senator from Erie County has any appreciation of where this will leave Erie. There is only one place it can leave Erie—high and dry—and that is where we have been for many a year.

I verified the need for this money, the need for pas-

sage of this bill with the Secretary of Highways not ten minutes ago.

I urge every Member of this House, if they have any influence whatsoever, and in consideration of Erie's particular position and its remoteness and the poor, the basically poor, state highways system which exists into and out of that city in comparison with other parts of this state, I urge every Member of this House to attempt to induce support of this particular piece of legislation in the other Chamber.

QUESTION OF PERSONAL PRIVILEGE

Mr. GIBB. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BIBB. Mr. Speaker, there appeared in the September 23 issue of the Pittsburgh Post-Gazette, the Pittsburgh Sun-Telegraph, and the Pittsburgh Press the following news article:

Transit Bill Passed, Sent to Lawrence. 4 G O P Members Change Vote Over Fleming on Authority.

"The Allegheny County Mass Transit Bill finally cleared the Legislature late this afternoon and was sent to Governor Lawrence for his signature.

The House concurred in Senate amendments by a vote of 136 to 57.

The SPEAKER. The Chair would like to inquire if the gentleman's name is mentioned in the article he is reading?

Mr. GIBB. It is.

The SPEAKER. The gentleman will proceed.

Mr. GIBB.

The House concurred in Senate amendments by a vote of 136 to 57, but it was a vote which brought four Allegheny County Republicans into revolt against the measure. One county Democrat also voted against it.

All Blame Fleming.

Votes against concurrence were cast by Republican representatives Willard F. Agnew, of Aspinwall, Edwin C. Ewing, of Mt. Lebanon, Laurence V. Gibb, of Sewickley and Dennis D. Stevens, of East Pittsburgh.

All had voted for the bill when it went through the House, and all blamed Senator Robert D. Fleming, a fellow Republican from Aspinwall, for their change in attitude.

Senator Fleming was primarily responsible, among Senate Republicans, for acceptance of the measure by the Senate.

He also was responsible, the House Republicans claimed for an amendment which will permit the County Commissioners—

The SPEAKER. What is the question of personal privilege to which the gentleman addresses himself?

Mr. GIBB. It is in reference to my vote in this article.

The SPEAKER. Is the gentleman aggrieved? Is the gentleman hurt? Does he protest?

Mr. GIBB. I protest against the article, yes, sir.

The SPEAKER. The gentleman will proceed.

Mr. GIBB.

As the House passed the bill their compensation was limited to \$50 a meeting, with a maximum of \$2,400 a year. This was an amendment insisted upon by Representative Maurice Goldstein, of Squirrel Hill.

"The way this bill is written now the salaries can go anywhere \$15,000 a year, and Fleming is the man who made that change, Representative Ewing said angrily. 'He's on the Port Authority'."

I'm against this salary Grab, Representative Agnew said bluntly.

"Representatives Stevens and Gibb said that was their reason also for voting no."

Now Mr. Speaker, I did not make such a statement. I did not authorize anyone to make such a statement for me. The so-called Fleming amendment was unimportant in my consideration of this bill. It is blank-check legislation, and I opposed it in its entirety, just as many people in my district opposed it.

It is true that I voted for this bill when it passed the House on June 23. I did so on the assumption that it would be amended in the Senate to require a public referendum. When such amendment failed I had no other course but to oppose it, which I did by voting against concurrence in the Senate amendments.

I regret that it has been made to appear that I voted against concurrence because of the Fleming amendment and I desire that the record clearly show my reason for voting against concurrence.

Senator Fleming and I have been close personal friends and political associates for more than 20 years. Even though we sometimes find ourselves differing in our political views, I resent any attempt by anyone to interfere with our long-time friendship.

The SPEAKER. The Chair wishes to state that if the point of order had been raised the Chair would have been compelled to rule that all of the gentleman's remarks were not included properly under a question of personal privilege.

PERMISSION GRANTED TO MEET DURING SESSION

Mr. BRETH asked and obtained permission for the Committee on Game and Conservation to meet during the session of the House.

INTERROGATION

Mr. HELM asked and obtained unanimous consent to interrogate Mr. POLEN.

Mr. HELM. Mr. Speaker, I would like to inquire from the gentleman—I know he is an expert on appropriations—if it is at all possible for a Governor of this Commonwealth to spend more money than this Legislature appropriates for his entire budget.

Mr. POLEN. It is not, Mr. Speaker.

Mr. HELM. I would ask the gentleman to be more specific. If we, for example, appropriate \$1,760 billion by direct appropriations to the Governor, could he conceivably spend \$1,860 billion?

Mr. POLEN. Mr. Speaker, he could not.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if, in his opinion, the Governor has authority to transfer money from one bureau or one department to another without action of the Legislature.

Mr. POLEN. Mr. Speaker, he does not.

Mr. HELM. I thank the gentleman.

Mr. POLEN. Mr. Speaker, I heard the reference that I was an expert on appropriations. I thank the gentleman.

Mr. HELM. Mr. Speaker, I have no doubt in my mind that the gentleman from Washington, Mr. Polen, is an expert on matters of appropriations, and that is the reason I asked to interrogate him.

PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, the reason for this interrogation is that I read with some slight upset an article over the weekend which said the Governor had said, and I believe he is perhaps correctly quoted, that he has served notice that, even though he is short changed following the disclosure of the Senate budget cut, he does not intend to withhold vital state help to the schools, to those on relief and to the sick. If his Legislature does not give him the money for these purposes, he warns, the next Legislature will have to, because the money is going to be spent anyway.

Now, Mr. Speaker, I say that any Governor of this Commonwealth, regardless of politics, does not have that authority, and that is why I tried to get into the interrogation that point that the Governor cannot expend more money than this Legislature appropriates.

When the day arrives that this Governor or any Governor has that authority, then the need for a Legislature no longer exists.

INTERROGATION

Mr. McCANN asked and obtained unanimous consent to interrogate Mr. Helm.

Mr. McCANN. Mr. Speaker, will the gentleman tell us, when there exists on the books the laws dealing with mandatory expenditures, first we will take Public Instruction, and if the appropriation was for \$580 million, and the teaching units certified to by the respective boards exceeded this amount—if he would consider that an expenditure above the amount the Governor was allowed to spend?

Mr. HELM. I certainly would, Mr. Speaker.

Mr. McCANN. Mr. Speaker, would the gentleman from Armstrong then inform us, if all the school districts had a rightful amount of money coming to them which was not appropriated by the General Assembly, if this is deficit spending or a debt.

Mr. HELM. Mr. Speaker, I would say to the gentleman that the Commonwealth, the Governor's Office and the Department of Public Instruction, would not have the power to spend the money without an appropriation for that amount of money.

Mr. McCANN. Mr. Speaker, would the gentleman inform the House, then, if the appropriation was not sufficient to cover that which is mandated by law, would there be a deficit in that particular department?

Mr. HELM. As the gentleman well knows what has happened on many occasions when we have come into Session on January 1st of the odd-numbered years is that the department has been able to foresee they are going to have a deficit one of the first bills introduced, not only in the past biennium, but in other bienniums, has been a deficiency appropriation bill. We have never failed, I believe, to provide that amount of money when it was necessary. But I do not believe the Governor has the authority to spend the money without an appropriation to cover the amount.

Mr. McCANN. Mr. Speaker, would the gentleman inform us if this would not be a legal deficiency if the appropriation was not sufficient to meet that?

Mr. HELM. It may be perfectly legal, Mr. Speaker,

but I do not believe the Governor has the authority to go ahead and spend the money.

Mr. McCANN. Mr. Speaker, would the gentleman inform us if in other cases—transportation, for example, in the Department of Public Instruction—the appropriation were not sufficient to meet the mandatory payments, would there be a deficiency again in that department?

Mr. HELM. Certainly, there would be. There is no question about it.

Mr. McCANN. Mr. Speaker, would the gentlemen then inform us if the Governor, who cannot spend the money because it has not been appropriated, would not have a deficiency built in by the fact that the appropriation was not sufficient to pay mandated requirements by law?

Mr. HELM. Mr. Speaker, I think I can answer the gentleman's question in its entirety by reading to him Article III, Section 16 and Section 17.

Section 16 says:

"No money shall be paid out of the treasury, except upon appropriations made by law, and on warrant drawn by the proper officers in pursuance thereof."

Now under Section 17, charitable and educational appropriations:

"No appropriations shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each House.

Mr. McCANN. Mr. Speaker, there is no question about what the gentleman from Armstrong has read. Will he tell us, in the case of the Department of Public Welfare, dealing with public assistance, if the money appropriated is not sufficient to carry the case load as estimated and appropriated if the Governor would be able to grant any public assistance if the funds had expired, or all had been used?

Mr. HELM. Mr. Speaker, I will answer the gentleman. I think there are two solutions to that problem.

Number one, if the Department sees that its funds are going to be expended, and knows we are going to be in Session come January 1, it still has three or four months of the biennium left, and can ask for a deficiency, and we of the Legislature can grant that deficiency in the early weeks of the session.

Now if the funds are going to be expended previous to that date, the Governor has the authority to call a special session of the General Assembly.

Mr. McCANN. Mr. Speaker, is the gentleman then admitting that these deficiencies have existed in the past and will exist in the future and this is how you solve them?

Mr. HELM. The gentleman from Greene, Mr. McCann, knows full well how they have been solved in the past. The departments have foreseen a deficiency and have asked us in the early weeks of the session to pass a deficiency appropriation, which we have done.

Mr. McCANN. Could the gentleman inform the House if that is his recommendation as to how it should be solved at the present time?

Mr. HELM. I am not entering into the present argument except to point out that the Governor does not have

the authority to say that he is going to spend the money whether we appropriate it or whether we do not.

Mr. McCANN. Mr. Speaker, would the gentleman inform the House under occupational disease, if the appropriation is not sufficient to pay the occupational disease recipients their money allowances and they ran out of money, would there be a deficiency or would the payments stop to all those recipients?

Mr. HELM. Mr. Speaker, the same answer applies there except that I can point to a precedent that was handled by a former Governor. Whether it was right or wrong is beside the point. I do not believe it was ever tested in the courts. But a former Governor required lapses to be earmarked for the occupational disease fund. Now I question whether that was done legally. I believe he possibly should have called a special session to solve the problem. In spite of that he solved it the way he wanted to solve it.

Mr. McCANN. Mr. Speaker, would you clarify the answer again, if the funds are not sufficient for the occupational disease fund to take care of the payments to the recipients of that fund, would they continue to receive their payments, in your opinion, or would they stop since the appropriation was not sufficient to insure the payments for the biennium?

Mr. HELM. The answer is apparent. If the funds are depleted, there are no funds available in the appropriation; there is only one legal way to solve the problem and that is for the Governor of this Commonwealth to call a special session for the sole purpose of solving that problem.

He cannot spend funds that do not exist.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, there is no question that the situation that is going to confront us in the next few days or few weeks here in the General Assembly clearly indicates deficiencies are being built in the appropriation bill in which the present Governor would certainly have a deficiency at the end of the biennium.

Department of Public Instruction funds later will be debated here in this House, and I am confident that you will agree that the deficiency is there, will be there, at the end of the present biennium.

According to the remarks of the gentleman from Armstrong, Mr. Helm, the Governor does not have any authority to spend money not appropriated, but the Legislature is responsible to appropriate the amounts of money mandated by law in each of those cases in which you and I passed the law to make these payments possible. If, in our wisdom, we do not appropriate sufficient money and we have mandated by law these expenditures, we are building in a deficiency and building it in very nicely because these payments will be due and will have to be met.

I would like to bring to the attention of the House that at a later date we will debate each of these items in the appropriation bill when it arrives here, not at the present time, but I am confident that you and I can basically agree that this is building in a deficiency in certain sections without a question of doubt.

The SPEAKER. Because certain questions might arise on which the Chair might conceivably be asked to rule, the Chair seeks information.

Does the Chair understand from the Chairman of the Appropriation Committee and the gentleman from Armstrong, Mr. Helm, that some agency, the administrative council for instance, cannot transfer funds after the General Assembly adjourns and do so under the administrative code?

Mr. HELM. Mr. Speaker, I am not an expert on the appropriations, but I was not raising that point. I was only raising the point that a Governor cannot spend money exceeding the amount of money appropriated by the General Assembly. Now, whether or not a Governor has authority to transfer money from one department or from one bureau to another is a point that I am not even prepared to talk about or to debate, because I am not a lawyer and I think that is a thing that must be decided, as it has been in the past, by the Attorney General. The Attorney General has ruled, I believe in some instances, that they could transfer funds from one bureau to another.

The SPEAKER. Does that coincide with the view of the Chairman of the Appropriation Committee?

Mr. POLEN. Mr. Speaker, I would agree with the gentleman's remarks.

The SPEAKER. He agrees with the gentleman from Armstrong.

One further question: A Governor receives a two-year appropriation, can his departments proceed to spend that appropriation within one year if they are so motivated?

Mr. HELM. I will permit the Chairman of the Appropriations Committee to answer that question. My personal belief is that if he wanted to do it he could go ahead and do it, but I think he would have a pretty tough time through the next year of the biennium.

The SPEAKER. The Chair thanks the gentlemen. The Chair has secured the information desired.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill recalled from the Governor non-concurred in by the Senate No. 762.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCHAAF asked and obtained unanimous consent to add an additional sponsor to House Bills Nos. 2366 and 2367.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BOIES asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 56, 467, 470, 471, 677, 879, 1143, 1144, 1145, 1228, 1383, 1437, 1455, 1823, 1835 and 2201.

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 56, Printer's No. 1360, entitled "An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 467, Printer's No. 823, entitled "An Act amending the act of May 3, 1923 (P. L. 134) entitled 'An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution' including the Italian American WORLD War Veterans of the United States Incorporated among the veterans organizations entitled to the printing of convention reports."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 470, Printer's No. 236, entitled "An Act amending the act of April 18, 1923 (P. L. 609) entitled 'An Act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps and for the compilation and preservation of records relating to such soldiers sailors marines and members of the enlisted nurse corps and their burial places by county commissioners at the expense of the counties and imposing certain duties upon persons firms corporations and municipalities owning and controlling cemeteries conferring certain duties on the Department of Military Affairs' authorizing the Italian American World War Veterans of the United States Incorporated to gather and file data concerning burial places of persons who have served in the military naval or other combative forces with The County Commissioners or city commissioners in cities of the first class."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 471, Printer's No. 237, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prohibiting imitating selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States Incorporated."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 677, Printer's No. 1036, entitled "An Act amending the act of June 18, 1941 (P. L. 133) entitled 'An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties' changing penalties."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 879, Printer's No. 1037, entitled "An Act amending the act of June 18, 1941 (P. L. 133) entitled 'An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties' extending the provision of the act."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1143, Printer's No. 492, entitled "An Act amending the act of May 5, 1933 (P. L. 364) entitled 'Business Corporation Law' providing for the corporate name the contents of the articles of incorporation and articles of merger prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1144, Printer's No. 463, entitled "An Act amending the act of May 5, 1933 (P. L. 289) entitled 'Nonprofit Corporation Law' providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1145, Printer's No. 464, entitled "An Act amending the act of June 8, 1911 (P. L. 710) entitled 'An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject' providing for the withdrawal from business and the surrender of the certificate of authority."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1228, Printer's No. 979, entitled "An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1383, Printer's No. 784, entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1437, Printer's No. 637, entitled "An Act amending the act of May 24, 1945 (P. L. 967) entitled 'An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties' defining the term 'business' providing for the change of location from one county to another and designating the persons to sign an application to amend the certificate."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1455, Printer's No. 516, entitled "An Act amending the act of May 31, 1945 (P. L. 1198) entitled 'Bituminous Coal Open Pit Mining Conservation Act' changing penalties in regards to certain actions relating to registration and furnishing of bonds."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1823, Printer's No. 727, entitled "An Act providing for the creation maintenance and operation of an employees' retirement system in cities of the second class A and imposing certain charges on cities of the second class A and school districts in cities of the second class A."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1835, Printer's No. 1228, entitled "An Act amending the act of May 5, 1933 (P. L. 457), entitled 'Building and Loan Code' further regulating the exercise of powers by the Department of Banking and boards thereof extending the time in which the department may approve or disapprove articles of incorporation or amendment providing for contribution by associations and ratifying contributions heretofore made permitting and limiting the sale of participations in direct reduction mortgages and repealing inconsistent legislation."

DAVID L. LAWRENCE.

September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2201, Printer's No. 1510, entitled "An Act amending the act of June 24, 1939 (P. L. 872), entitled 'The Penal Code' further regulating obscene exhibitions."

DAVID L. LAWRENCE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2348, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for a space for the placing of blood type on operator's license card.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty * * *" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 634, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1580, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes * * *" providing for the selection of the third member of certain panels and providing compensation for such members.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1851, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) changing the provisions relating to the limitations on size of certain vehicles.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1852, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment and fixing fees for such permits.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2183, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the change of agricultural education and supervisors of homemaking education from employes of the Commonwealth to employes of the counties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2212, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the purchase of Wings Field Ambler Pennsylvania jointly with the County of Montgomery.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

Th motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2337, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of a livestock grading program.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2354, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) changing definition of final average salary for classroom teachers with thirty-five or more years of service.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 * * *" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read a length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 390, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 823 Printer's No. 949 and

Senate Bill No. 915 Printer's No. 1248,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 1 (Sec. 702), page 2, line 14, by inserting after "consolidation": "or."

Amend Sec. 1 (Sec. 702), page 2, line 14, by striking out "or revision."

Amend Sec. 1 (Sec. 702), page 2, line 16, by inserting after "consolidation": "or."

Amend Sec. 1 (Sec. 702), page 2, line 17, by striking out "or revision."

Amend Sec. 1 (Sec. 702), page 3, line 3, by inserting after "consolidation": "or."

Amend Sec. 1 (Sec. 702), page 3, line 3, by striking out "or revision."

Amend Sec. 1 (Sec. 702), page 3, line 7, by inserting after "consolidation": "or."

Amend Sec. 1 (Sec. 702), page 3, line 8, by striking out "or revision."

Amend Sec. 1 (Sec. 702), page 3, line 11, by inserting after "consolidation": "or."

Amend Sec. 1 (Sec. 702), page 3, line 11, by striking out "or revision."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. RUDISILL for the week because of illness.

Mrs. Varallo for Mr. SCARCELLI for the week because of illness.

Mrs. Varallo for Mr. WELSH for the week because of illness.

Mrs. Varallo for Mr. MIHM for today because of illness.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair has been informed there is present in the Hall of the House a former Member, Mr. Scholley Pace Alexander, who is now a Workmen's Compensation Referee.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) changing standards and qualifications for hospitals in which interns may train.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Foerster,	Agnew,	Leonard,	Pursley,
Fox,	Anderson,	Limper,	Reibman,
Frank,	Arlene,	Lippincott,	Reidenbach,
Frascella,	Ashton,	Lopresti,	Renwick,
Fulmer,	Balthaser,	Luigard,	Riley,
Galley,	Barton,	Lutty,	Royer,
Gallagher,	Bell,	McCandless,	Schaaf,
Garlock,	Blair,	McCann,	Schuster,
Gelfand,	Boles,	McCormack,	Schwartz,
George,	Bonner,	McDonald,	Seltzer,
Gibb,	Boris,	McInroy,	Sherman,
Goldstein,	Bower,	McKeever,	Shupnik,
Goodrich,	Bowman,	McLaughlin,	Silverman,
Gramlich,	Branca,	Machmer,	Snare,
Brenninger,	Guthrie,	Magee,	Snider,
Breth,	Hamilton,	Mahan,	Stank,
Brown,	Heavey,	Markley,	Steckel,
Buchanan,	Heffner,	Maxwell,	Stevens,
Burns,	Helm,	Mehoichick,	Stewart,
Capano,	Henzel,	Merry,	Stimmel,
Capitolo,	Hocker,	Miller, B. Z.,	Stone,
Cianfrani,	Holliday,	Miller, H. G.,	Stoner,
Cloffi,	Holt,	Monroe,	Sullivan,
Clarke,	Horst,	Muldowney,	Taylor,
Comer,	Irviss,	Mullen,	Tompkins,
Crossin,	Isaacs,	Munley,	Trusio,
Curwood,	Jenkins,	Murray, H. P.,	Ujobal,
Davis,	Jim,	Murray, J. J.,	Varallo,
Dengler,	Johnson, A. W.,	Murray, P. G.,	Varnier,
Dennis,	Johnson, R.,	Musto,	Verona,
Dennison,	Jones, F. R.,	Naugle,	Walsh,
Devlin,	Jones, T. H. W.,	Needham,	Wargo,
Donahue,	Jump,	Nelson,	Weidner,
Donaldson,	Kamyk,	O'Dell,	Wescott,
Dougherty,	Kee,	O'Donnell, J. A.,	Wheeler,
Down,	Kelser,	O'Donnell, J. P.,	Whittaker,
Edwards,	Kernaghan,	Odorisio,	Williams, E. S.,
Ellberg,	Kessler,	Ogilvie,	Willaredt,
Eshback,	Knecht,	O'Neil,	Wilt,
Eshleman,	Kooker,	Parlante,	Wood,
Ewing,	Kornick,	Pashley,	Worley,
Farabaugh,	Korns,	Perry, H. H.,	Wynd,
Fetterolf,	Kovolenko,	Perry, P. E.,	Yatron,
Filo,	Kubitsky,	Polaski,	Yetter,
Fineman,	Lamb,	Polen,	Zimmerman,
Floyd,	Lee, A. M.,	Prendergast,	Andrews,
Flynn,	Lee, K. B.,	Price,	Speaker

NAYS—8

Auker,	Murphy, P. J.,	Rovansek,	Williams, A. D., Jr.,
Murphy, A. J., Jr.,	Petrosky,	Wall,	Willard,

NOT VOTING—13

Cooper,	Moran,	Sakulsky,	Stroup,
Light,	Rigby,	Scarcelll,	Thompson,
Mihm,	Rudisill,	Strausser,	Welsh,
Mills,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P. L. 90) authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson,	Gallagher,	McLaughlin,	Renwick,
Arlene,	Gelfand,	Machmer,	Riley,
Balthaser,	Heffner,	Markley,	Rovansek,
Blair,	Holt,	Maxwell,	Schaaf,
Boles,	Irviss,	Meholchick,	Schuster,
Bonner,	Isaacs,	Monroe,	Schwartz,
Branca,	Jenkins,	Muldowney,	Sherman,
Breth,	Jim,	Mullen,	Shupnik,
Capitolo,	Jones, F. R.,	Munley,	Silverman,
Cianfrani,	Jump,	Murphy, A. J., Jr.,	Stank,
Cloffi,	Kamyk,	Murphy, P. J.,	Steckel,
Clarke,	Kee,	Murray, J. J.,	Stevens,
Comer,	Knecht,	Musto,	Stimmel,
Crossin,	Kornick,	Needham,	Stone,
Curwood,	Kovolenko,	O'Dell,	Sullivan,
Dennis,	Kubitsky,	O'Donnell, J. A.,	Taylor,
Devlin,	Lamb,	O'Donnell, J. P.,	Trusio,
Dougherty,	Lee, K. B.,	Odorisio,	Varallo,
Ellberg,	Leonard,	O'Neil,	Verona,
Eshback,	Limper,	Parlante,	Wargo,
Filo,	Lippincott,	Pashley,	Weidner,
Fineman,	Lopresti,	Perry, P. E.,	Wheeler,
Floyd,	Luigard,	Petrosky,	Willard,
Flynn,	Lutty,	Polaski,	Wynd,
Frank,	McCann,	Prendergast,	Yatron,
Frascella,	McCormack,	Reibman,	Yetter,
Galley,	McDonald,	Reidenbach,	

NAYS—84

Agnew,	Fox,	Kessler,	Seltzer,
Ashton,	Fulmer,	Kooker,	Snare,
Auker,	Garlock,	Korns,	Snider,
Barton,	George,	Lee, A. M.,	Stewart,
Bell,	Gibb,	McCandless,	Stoner,
Boris,	Goldstein,	McInroy,	Tompkins,
Bower,	Goodrich,	Magee,	Ujobal,
Bowman,	Gramlich,	Mahan,	Varnier,
Brenninger,	Guthrie,	Merry,	Wall,
Brown,	Hamilton,	Miller, B. Z.,	Walsh,
Buchanan,	Heavey,	Miller, H. G.,	Wescott,
Burns,	Helm,	Murray, H. P.,	Whittaker,
Capano,	Henzel,	Murray, P. G.,	Williams, A. D., Jr.,
Davis,	Hocker,	Naugle,	Williams, E. S.,
Dengler,	Holliday,	Nelson,	Willaredt,
Donahue,	Horst,	Ogilvie,	Wilt,
Donaldson,	Johnson, A. W.,	Perry, H. H.,	Wood,
Down,	Johnson, R.,	Polen,	Worley,
Eshleman,	Jones, T. H. W.,	Price,	Zimmerman,
Ewing,	Kelser,	Pursley,	Andrews,
Fetterolf,	Kernaghan,	Royer,	Speaker
Foerster,			

NOT VOTING—17

Cooper,	McKeever,	Rigby,	Strausser,
Dennison,	Mihm,	Rudisill,	Stroup,
Edwards,	Mills,	Sakulsky,	Thompson,
Farabaugh,	Moran,	Scarcelll,	Welsh,
Light,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily.

Mr. LOPRESTI IN THE CHAIR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1971, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing the sale of liquor and malt or brewed beverage during certain hours on Sunday in certain hotels in cities of the first and second class under certain conditions.

RECONSIDERATION OF VOTE

Mr. PETROSKY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, last two lines of Title, by striking out "in cities of the first and second class" and inserting: "and restaurants."

Amend Sec. 1 (Sec. 406), page 3, lines 10 and 11, by striking out "located in hotels in cities of the first and second class."

Amend Sec. 1 (Sec. 406), page 3, line 17, by striking out "in hotels."

Amend Sec. 1 (Sec. 406), page 3, line 20, by striking out "located in hotels in cities of the first and second class." and inserting: "authorized by this section to sell liquor and malt and brewed beverages on Sundays."

Amend Sec. 1 (Sec. 406), page 5, line 2, by striking out "of the first or second class" and inserting: "borough town or township."

Amend Sec. 1 (Sec. 406), page 5, line 16, by inserting after "hotels": "and restaurants."

Amend Sec. 1 (Sec. 406), page 6, line 2, by inserting after "which": "the."

Amend Sec. 1 (Sec. 406), page 6, line 3, by striking out "of the first and second class" and inserting: "borough, towns or townships."

Amend Sec. 1 (Sec. 406), page 6, line 16, by striking out "of the first or second class" and inserting: "borough, town or township."

Amend Sec. 1 (Sec. 406), page 6, line 18, by inserting after "hotels": "and restaurants."

Amend Sec. 1 (Sec. 406), page 7, line 1, by striking out "of the first or second class" and inserting: "borough, town or township."

Amend Sec. 1 (Sec. 406), page 7, line 3, by striking out "of the first or second class" and inserting: "borough, town or township."

Amend Sec. 1 (Sec. 406), page 7, line 10, by striking out "of the first or second class" and inserting: "borough, town or township."

Amend Sec. 1 (Sec. 406), page 7, line 12, by inserting after "hotels": "and restaurants."

Amend Sec. 1 (Sec. 406), page 7, line 16, by inserting after "city": "borough, town or township."

Amend Sec. 1 (Sec. 406), page 7, line 18, by inserting after "hotels": "and restaurants."

Amend Sec. 1 (Sec. 406), page 8, line 5, by inserting after "hotels": "and restaurants."

Amend Sec. 1 (Sec. 406), page 8, line 9, by inserting after "hotels": "and restaurants."

Amend Sec. 2, page 8, line 15, by inserting after "hotels": "and restaurants."

Amend Sec. 2, page 8, lines 15 and 16, by striking out "of the first and second class" and inserting: "boroughs, towns or townships."

Amend Sec. 2, page 8, line 16, by striking out "in any city."

Amend Sec. 2, page 8, line 17, by striking out "of the first or second class" and inserting: "boroughs, towns or township."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. PETROSKY. Mr. Speaker, in presenting these amendments to the House, I can categorically say that in only two ways do they change the provision that is before us. No. 1, it broadens the scope of the proposal in House Bill 1971, and, No. 2, it adds other establishments besides the handful of establishments that would be covered by the proposal before us.

It does not change in any way whatsoever the right of each and every municipality to have their local referendum to decide the question. I cannot conceive how we can pass upon a proposal that would concern a handful of establishments and enhance their position to vie for the convention trade inasmuch as there are other establishments that are highly qualified and would qualify under the provisions contained within the proposal to carry on their business similar to what the hotels would do so, provided the people pass favorably a referendum allowing them to sell liquor on Sunday between the hours of 1:00 in the afternoon and 10:00 o'clock at night.

It does not in any way affect the mechanics in the proposal petitioning for a request for a referendum which, in effect, is a logical and a sound manner in which to accomplish this purpose. I believe it strengthens the legislation to the degree that in those areas where this is necessary to maintain our position to vie for the tourist and convention business, it strengthens us in those other areas that would not be covered under the proposals as it is written without the amendments.

I believe the amendments are fair. The amendments offer all the safeguards that are necessary for the respective municipalities that would want to have such a referendum held or that would not want to open up the sale of alcoholic and brewed beverages on Sunday. I do believe that we must be fair with those areas through out our state that want to be competitive with the other areas, and we must be fair to those establishments that with the provisions contained in House Bill 1971 to be able to do business on an equal basis with the others located in their communities.

You know as well as I know that there are many restaurants that qualify to cater to the convention and tourist trade that are just as well set up to take care of that trade. Therefore, I ask the Membership of the House to vote for the amendments so we can make a good proposal much better.

Mr. STEWART. Mr. Speaker, this bill was introduced and designed to correct one deficiency which the two metropolitan areas of this great Commonwealth have been facing for many years, and that is the loss of convention business which amounts to some \$22 million per convention day.

This bill was designed to meet this problem. It was carefully drawn and amended to provide for a petition of 25 percent of the voters and was limited to hotel establishments where the sales of food and nonalcoholic beverages are equal to 55 percent or more of the combined gross, and it further limited the sale of liquor to those rooms in hotels customarily used for the serving of food.

These amendments are designed to cripple the bill. They are designed to make this statewide, to make it apply to restaurants as well as hotels. Philadelphia and Pittsburgh in this Commonwealth will lose about 20,000 man-hours of work if this bill is not passed. The Pennsylvania hotels of Philadelphia and Pittsburgh purchase over \$45 million worth of agricultural supplies in the state. This bill is needed. These amendments will do this bill great harm, and I ask all the Members of the House to defeat these amendments.

Mr. Speaker, I ask for a division.

Mr. SCHWARTZ. Mr. Speaker, I rise in opposition to these amendments and I do so with hesitation. I can sympathize with the position of Mr. Petrosky, and I understand why he has introduced the amendments. I do not believe he has introduced them to cripple the bill.

I think he feels that the entire Commonwealth should be given the same opportunity as the hotels in Pittsburgh and Philadelphia, and, as I say, I am sympathetic with that view.

However, indirectly, the amendments would have the effect of lessening the likelihood of this bill becoming law. It is for that reason that I must oppose the amendments.

There is a valid reason as expressed by the gentleman from Philadelphia for the enactment of this legislation, primarily to prevent the city of Philadelphia and the city of Pittsburgh from being so-called ghost cities on the week-end and especially on Sunday. It is this reputation that has lost millions of dollars for the two largest cities in the Commonwealth in convention trade and business. Instead those conventions have been going to other states, such as New Jersey, New York. We, therefore, need this type of legislation and I think it would be a mistake to impinge upon this bill by attempting to add to it all the other hotels throughout the Commonwealth as well as restaurants. The time may come in the not too distant future when we can by enactment include those other establishments, but this is not the time.

I therefore suggest to the Membership of this House, in order to aid a business which needs aid, which contributes to the economy of our Commonwealth, which would generate additional tax revenues, create additional jobs, which will find its way through the entire economy, that we vote down these amendments and vote for the bill in its present form.

Mr. AGNEW. Thank you, Mr. Speaker, I wish to comment briefly in opposition to the amendments offered by the gentleman from Westmoreland. I know that he is sincere in his attempt to broaden both the scope and the base of this bill.

In discussing this legislation and the amendments that are offered here today, may I point out that it is paradoxical that Pennsylvania's citizens are the butts of nationwide jokes about our liquor laws. I personally think most of them are pretty good, but I do not believe that they are sacrosanct and that we should not change

some of them to comply with the changing times. I believe it is simply a matter of this, Mr. Speaker, and this is why I oppose the amendments.

The measure, House Bill 1971, as introduced in its present form is a measure of moderation. In substance it merely permits a man or a man and his family to enjoy a drink with his Sunday meal in certain hotels. It is not a barroom bill at all. That is why I call it a measure of moderation. But, Mr. Speaker, we must remember in dealing with liquor legislation that the old prayer is very much apropos and I refer to that prayer which says "Lord, grant me the courage to change that which can be changed and which ought to be changed; Lord, grant me the patience to accept that which cannot be changed, and Oh Lord, grant me the wisdom to know the difference."

I believe the Members of this House realize that House Bill 1971 embodies a principle which should be changed in our liquor laws and that the amendments offered by the gentleman from Westmoreland are something which cannot be changed and therefore ought not to be changed, and we therefore ought to have the patience to accept it. I believe that the Members of the House do have the wisdom to know the difference and will therefore vote against the amendments.

Mr. KAMYK. Mr. Speaker and Members of the House, I join my colleagues in opposition to the introduced amendments by Mr. Petrosky and to further emphasize what my colleagues have very well explained.

I fear that the amendments to this bill would destroy the original and primary purpose of this bill. The purpose of this bill is not to extend the liquor sales to Sunday. The main purpose of this particular piece of legislation is more for economic reasons, as has been very well explained by my colleagues. So I ask that the House vote against these amendments.

Mr. PETROSKY. Very briefly, Mr. Speaker and Members of the House, of course, we have listened to the gentlemen who are in opposition to the amendments and if I may say it, I know you feel as I do, I don't believe we have had one solid, valid reason for voting against the amendments by the gentlemen who have risen in opposition to the amendments.

As it was stated, this is a bill of moderation. It continues to be a bill of moderation. It is not a barroom bill, because every proviso preventing this that is incorporated in proposal No. 1971 still remains the same. The fact that the economy is concerned is my concern in the offering of these amendments.

What are we to do in convention cities such as Erie, Reading, Williamsport, York and the like? I believe it is good, and I believe it is good to extend it to those areas. I believe that it is good to extend it to every establishment that qualifies under this bill which prevents the possibility of having a barroom bill, and there is no change in that whatsoever.

I submit to the Membership of the House that the bill is strengthened rather than hurt by the amendments if they are placed into the bill, and as I indicated earlier. I reiterate now, the mechanics of the bill prevent any open sales or barroom sales of liquor on Sunday, and its mere extension to the other areas is one of an economic nature. If it is so that the provisions here applying to Pittsburgh and Philadelphia alone would en-

hance the position economically of agriculture and what have you in the state, it will be multiplied ten-fold by extending the provisions of the bill to those areas that need them for economic reasons.

Mr. DOUGHERTY. Mr. Speaker and Members of the House, I rise to oppose these amendments. If these amendments were enacted they would just kill a mighty good bill.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Petrosky.

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I would like to ask the gentleman from Westmoreland, Mr. Petrosky, if he were a drinking man could he get a drink on Sunday?

Mr. PETROSKY. I am, and I can get a drink on Sunday.

Mr. FILO. I beg your pardon?

Mr. PETROSKY. I say I am a drinking man and I can get a drink on Sunday.

Mr. FILO. Well, by the same token, Mr. Speaker, the gentleman's amendments would tend to destroy this piece of legislation, because most of the people that we are inducing—

Mr. PETROSKY. Is the gentleman through interrogating me, Mr. Speaker?

Mr. FILO. I am through with the interrogation and I thank the gentleman.

Mr. Speaker, this bill is an inducement to members from out of the state to attend conventions in the state of Pennsylvania, in the city of Pittsburgh primarily and also Philadelphia. These people who come from out of the state cannot do as Mr. Petrosky stated, go and get a drink on Sunday if they want such.

Of course, anyone here in the state, if they belong to a club can very easily cross the street from the hotel and go to a club to which they belong and get their drink. The main purpose of this bill is for those people from out of state who come into Pennsylvania with these conventions to be able to have a moderate drink whenever they want it.

On the question recurring,

Will the House agree to the amendments?

A division was called for, less than a majority of the Members having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McINROY. Mr. Speaker, and Members of the House, I purposely kept quiet on the last bill because I thought we would have plenty of time to think it over, but on this bill I am going to say just a few things regarding the outcome of it.

There is one thing I cannot reconcile myself to and I also do not see how some of the rest of you can. Some little time ago we passed Senate Bill No. 405 which prohibited the sale of many things on Sunday, some things that might even be called necessities. I refer, for instance, to a roof that might be blown off the house on Satur-

day night. You cannot go and buy material on Sunday to patch your roof. There are many other cases like that. By no stretch of imagination could we call the sale of alcoholic drinks on Sunday a necessity.

As one speaker has already said in speaking of the amendment, if this bill goes through and is signed by the Governor, sooner or later all the drinking places of the state will come in for the same kind of treatment. Then we have a wide-open Sunday.

Mr. Speaker, I think it would be to the interest of the state as a whole, not only in its economy, which is only one consideration, but for the good of the entire population of this state, to not broaden our liquor laws any further. Therefore, I ask everyone in this House to vote this bill down.

Mr. McCORMACK. Mr. Speaker, I would like to briefly speak in favor of this bill with the knowledge that I was one of the foremost exponents of the bill recently passed, Senate Bill No. 405, prohibiting the sale of certain items on Sunday.

I believe that I can partly reconcile what appears to be an inconsistent position by saying, most of the things that were prohibited from being sold on Sunday are things that the family could go out and buy the other six days of the week. But, it is rather difficult when I want to go out to Sunday dinner and have a cocktail in a hotel to make an advance order on a Thursday or Friday. For that reason I think the positions are reconcilable.

Now the bill was really debated on the amendments that were introduced by the gentleman from Westmoreland, and most of the arguments in favor of this bill were of an economic nature, but I submit that we are really giving equality in the state, if we pass this bill, to a lot of people who are afforded an opportunity to go out for supper one day a week to have a drink with their meal.

I, for one, have patronized, and probably most of the other drinking Members of the House, have patronized the so-called one-man clubs, and I think it is rather unfair that they should be permitted to open all hours of the day, seven days a week, and the hotels which have a much greater mark of respectability are denied the privilege of serving on Sundays. I think that would provide the average working man an opportunity that most of the people in the higher class income brackets now are afforded, and for that reason, I think in the interest of fairness, we ought to support this bill.

Mr. SCHWARTZ. Mr. Speaker, I certainly can take the floor and say that I am being consistent in speaking in favor of this particular bill even in relation to Senate Bill 405.

In answer to the gentleman from Tioga, if the gentleman will read this bill very carefully he will see that the bill is indeed very skillfully and carefully drawn. If you read the bill you see the adequate protection. First of all, liquor and malt beverages can only be sold in a hotel in which at least 55 percent of their revenue comes from the sale of food. That is the first protection.

The second protection, there must be a referendum first by the people in the community and before you can get to that referendum you must have petitions signed by at least 25 percent of the voting public, 25 percent of the highest vote cast for any one candidate. So that the gentleman's remarks, I think, do not sit well when you analyze the various protections drawn in this particular bill. This

will not lead to widespread selling of liquor as he would lead the Members of this House to believe.

Remember again that this will only permit, after the petition is filed and after the electorate votes upon it, sales between the hours of one and ten in the evening. We have football games, we have basketball games, we have all kinds of things which we have permitted by law and which have been permitted by referendum of the people. I have no fear in allowing the people of this Commonwealth to express themselves by referendum in the ballot if, in fact, they desire to permit liquor and malt beverages to be sold between those hours in legitimate hotels. I have full confidence in the electorate of this Commonwealth. I think we should support this legislation.

Mr. JUMP. Mr. Speaker, first, I would like to get the record straight. As Al Smith would say, "Let's look at the record." For some of the Members of this House who do not know it, during my 59 years of livelihood the strongest drink I ever took was a cup of coffee, but in going over this blue pamphlet from which I noticed my colleague, Mr. Schwartz, read, I thought I would look it over very carefully.

Mr. Schwartz says, this bill calls for a referendum in Philadelphia and Pittsburgh on whether or not qualified hotels may serve alcoholic beverages on Sundays between the hours of one and ten p. m. Only hotels whose percentage of food sales equals 55 percent of total sales of food and beverages may qualify. Sales of alcoholic beverages are limited to rooms that customarily sell food. Before the referendum may be held, petitions calling for it must be signed by a number of electors equal at least to 25 percent of the highest vote cast for any one office in the last general election. It will bring many millions of dollars of additional convention business into Pennsylvania. There is not any question about that. I am very much convinced of that.

This will aid many segments of our economy, including all forms of transportation, gas, oil, bus and train travel. It will create many new jobs. It permits the people to express themselves directly. It will keep Pennsylvania's earned dollars in the state and not drive them to surrounding areas for recreation and relaxation. It will partially correct inequities in present Liquor Control Laws.

Only reputable, well conducted hotels can qualify under House Bill 1971. Now hotels are required to be open seven days each week. They are a "home away from home" for the transient traveler who should be permitted the same privileges and pleasures he would enjoy at home. Hotels have a legal responsibility to provide "rooms, food and entertainment" for their guests. Entertainment generally includes beverages. A yes vote for House Bill 1971 is a vote, in my opinion, for progress.

Mr. Speaker and Members of this House, this is good legislation and I urge all Members to vote yes.

Mr. P. E. PERRY. Mr. Speaker, I will not take much time of the Members. I have just a few remarks.

Economically this bill is good. It puts Philadelphia and Pittsburgh in a better competitive condition to attract conventions. Further, there is no moral wrong in this legislation, and certainly there is no religious wrong.

Mr. McINROY. Mr. Speaker, I will not delay the vote on this but by just a couple of minutes, but I would like

to answer Mr. McCormack because I have heard this so many times.

It is true the clubs have been given a preference over regular licensed places because of what they have been given on Sunday, but I would like to call your attention to the fact that two wrongs do not make a right.

Also one other factor in regard to that Mr. Light from Lebanon, who is not here this afternoon but who sits in this seat next to me, and I have a bill in committee House Bill 856, which would do that very thing, but in the opposite direction. It would stop the sale of all drink at 12 midnight on Saturday night, and, in my humble opinion, that is when it should stop.

One other thing, if this bill is passed, how long will these provisions that my colleague, Mr. Jump, spoke of in such glowing terms, how long will they remain? These can be amended at our very next Session or can be amended later in this Session to change them all around, once granted. Of course, they can hardly beat this Session because they would have to be voted on. I am not so much in favor, sometimes, of a referendum. We are sent here to decide things on our own. Are we always to submit these questions for a referendum to the people of Pennsylvania or are we to represent the people and vote fearlessly yes or no.

Again I say, economics is not the only consideration here. Who would say the question of crime in Philadelphia and Pittsburgh would be aided by the passing of this bill this afternoon? I am sure it would not be.

There is a moral side to it too. I will not call that any more to your attention at this time. I ask every Member of this House to vote no on this bill.

Mr. HEAVEY. Mr. Speaker, I am just wondering how much the hotel people in Philadelphia are interested in liquor selling on Sunday.

The Hotel Sheridan has not been opened very long. It was built at an investment of \$4 million dollars, and I am sure when they invested \$4 million in that hotel there was no assurance they could sell liquor on Sunday. So, I was just wondering what this is all about.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. McINROY, AUKER and H. G. MILLER.

The roll was verified and was as follows:

YEAS—108

Agnew,	Flynn,	Lutty,	Polaski,
Anderson,	Frank,	McCann,	Prendergast,
Arlene,	Frascella,	McCormack,	Reibman,
Balthaser,	Galley,	McDonald,	Reidenbach,
Bell,	Gallagher,	McLaughlin,	Renwick,
Blair,	Gelfand,	Machmer,	Riley,
Boles,	Holt,	Maxwell,	Rovansek,
Bonner,	Irviss,	Meholchick,	Schaaf,
Branca,	Isaacs,	Miller, B. Z.,	Schuster,
Breth,	Jenkins,	Monroe,	Schwartz,
Capitolo,	Jim,	Muldowney,	Sherman,
Cianfrani,	Johnson, R.,	Mullen,	Shupnik,
Cioffi,	Jones, F. R.,	Munley,	Silverman,
Clarke,	Jones, T. H. W.,	Murphy, A. J., Jr.	Stank,
Comer,	Jump,	Murphy, P. J.,	Stewart,
Crossin,	Kamyk,	Murray, H. P.,	Stone,
Curwood,	Kee,	Murray, J. J.,	Sullivan,
Dengler,	Kernaghan,	Musto,	Taylor,
Dennis,	Kornick,	Needham,	Trusio,
Devlin,	Kubitsky,	O'Dell,	Varallo,
Dougherty,	Lamb,	O'Donnell, J. A.,	Verona,
Eilberg,	Lee, A. M.,	O'Donnell, J. P.	Wargo,

Eshback, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Leonard, Limper, Lippincott, Lopresti, Luigard,	Odorisio, Parlante, Pashley, Perry, P. E., Petrosky,	Wheeler, Yatron, Yetter, Andrews, Speaker
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NAYS—84

Ashton, Auker, Barton, Bower, Bowman, Brenninger, Brown, Buchanan, Burns, Capano, Davis, Dennison, Donahue, Donaldson, Down, Edwards, Eshleman, Ewing, Foerster, Fox, Fulmer,	Garlock, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Horst, Johnson, A. W., Kelser, Kessler, Knecht, Kooker, Korns,	Lee, K. B., McCandless, McInroy, Magee, Mahan, Markley, Merry, Miller, H. G., Murray, P. G., Naugle, Nelson, Ogilvie, O'Neill, Perry, H. H., Polen, Price, Pursley, Royer, Seltzer, Snider, Price,	Steckel, Stevens, Stimmel, Stoner, Tompkins, Ujobal, Varner, Wall, Walsh, Weldner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Zimmerman,
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NOT VOTING—16

Boris, Cooper, Kovolenko, Light,	McKeever, Mihm, Mills, Moran,	Rigby, Rudisill, Sakulsky, Scarcelll,	Strausser, Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1542, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804) entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships and the regulation and maintenance thereof * * *" changing the age at which a member of the police force may retire.

On the question,

Shall the bill pass finally?

Mr. CURWOOD. Mr. Speaker, I just want to make a few comments on this particular bill. It has been on the calendar long enough, and I think it is about time we did something about it, but I would like to explain a little about it.

There are two things it does. First, it brings on the one and two member force, that is all. Then it gives the supervisors or the councilmen the right, at no less than 55 or no more than 65, to retire these particular policemen after they have had twenty years of service.

I would like to take this opportunity to ask everybody to vote for this, and put these one and two men where they belong.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

Anderson, Arlene, Auker, Barton, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Burns, Capano, Capitolo, Cianfrani, Cloffi, Clarke, Comer, Crossin, Curwood, Dennis, Dennison, Devlin, Dougherty, Ellberg, Eshback, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Frank,	Frascella, Galley, Gallagher, Gelfand, George, Gramlich, Hamilton, Heavey, Heffner, Hocker, Holt, Horst, Irvlis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kessler, Knecht, Kornick, Kubitsky, Lamb, Lee, A. M., Leonard, Limper, Lopresti, Luigard, McCann,	McCormack, McDonald, McLaughlin, Markley, Maxwell, Meholchick, Miller, H. G., Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, P. E., Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Riley, Rovasek, Schaaf,	Schuster, Schwartz, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Trusio, Ujobal, Varallo, Varner, Verona, Walsh, Wargo, Wheeler, Whittaker, Williams, E. S., Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—56

Agnew, Ashton, Balthaser, Bell, Brenninger, Brown, Buchanan, Davis, Dengler, Donahue, Donaldson, Down, Edwards, Eshleman,	Fetterolf, Fox, Fulmer, Garlock, Gibb, Goldstein, Goodrich, Guthrie, Helm, Henzel, Holliday, Isaacs, Kernaghan, Kooker,	Korns, Lee, K. B., Lippincott, McCandless, McInroy, Machmer, Magee, Mahan, Merry, Miller, B. Z., Murray, H. P., Murray, P. G., Naugle, Nelson,	Odorisio, Perry, H. H., Petrosky, Pursley, Royer, Seltzer, Tompkins, Wall, Weldner, Williams, A. D., Jr., Willard, Willaredt, Wilt, Wood,
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NOT VOTING—18

Boris, Cooper, Kovolenko, Light, Lutty,	McKeever, Mihm, Mills, Moran, Rigby,	Rudisill, Sakulsky, Scarcelll, Strausser,	Stroup, Thompson, Welsh, Wescott,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a former Member of the House, the gentleman from Fulton, Mr. Kerlin.

RESOLUTION
CONGRATULATIONS

Messrs. SCHWARTZ and DOUGHERTY offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 28, 1959.

Thirty-seven years ago, today Thomas J. McCormack was born in Philadelphia, the son of the late Patrick and Mary J. McCormack.

Educated in Philadelphia and a graduate of Temple University School of Law, he is presently a practicing attorney in Philadelphia.

A member of this House since 1952. He was first elected at the age of twenty-nine, a tribute and proof of this young man's determination and ability; therefore be it

Resolved, That the members of the House extend their congratulations to the Honorable Thomas J. McCormack on this his birthday and express the hope that he will be with us for many years to lend his oratorical talent and expression for the betterment of mankind.

The Members joined with Mr. Dengler in singing "Happy Birthday."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, for the first time since 1953 I am speechless. Thanks very much.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

RECONSIDERATION OF VOTE

Mrs. REIBMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. REIBMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 2 (Section 733.1), page 4, lines 10 to 15, inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Interstate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth with the establishment of a Board to hear such claims providing for appeals to the Supreme Court providing for salaries of the members of the Board the procedure to be followed and further providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

The first and second sections were separately read and agreed to.

Article I was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 101, page 2, line 10, by inserting after "of" where it appears the first time: "Contract."

Amend Sec. 101, page 2, line 11, by striking out "six (6)" and inserting: "three (3)."

Amend Sec. 101, page 3, line 1, by inserting after "term": "of."

Amend Sec. 101, page 3, line 6, by striking out "of Contract Claims."

Amend Sec. 101, page 3, line 18, by striking out "of claims."

Amend Sec. 101, page 3, line 20; page 4, line 1, by striking out "of contract claims."

Amend Sec. 101, page 4, line 2, by inserting after "Commonwealth": "and at least one member shall be a registered civil engineer."

Amend Sec. 102, page 4, line 3, by striking out "A" and inserting: "No."

Amend Sec. 102, page 4, line 3, by inserting after "member": "of the Board."

Amend Sec. 102, page 4, line 3, by striking out "not."

Amend Sec. 102, page 4, line 6, by inserting after "member": "of the Board."

Amend Sec. 103, page 4, lines 15 and 16, by striking out "The Board of Contract Claims shall have the power" in line 15 and all of line 16, and inserting: "The Governor shall designate an employe of the Department of the Auditor General as executive secretary of the Board. The Board shall have the power to and may at its pleasure appoint such."

Amend Sec. 103, page 4, line 17, by inserting after "including": "lawyers, engineers and."

Amend Sec. 103, page 4, line 18, by striking out "Each" and inserting: "The executive secretary and each."

Amend Sec. 103, page 4, line 19, by striking out "of Contract Claims."

Amend Sec. 103, page 5, line 1, by striking out "Any member or" and inserting: "The executive secretary and any."

Amend Sec. 103, page 5, line 2, by striking out "while."

Amend Sec. 103, page 5, lines 6 and 7, by striking out "by the Secretary of the Board or the stenographers."

Amend Sec. 103, page 5, line 7, by striking out "the minutes."

Amend Sec. 103, page 5, lines 8 and 9, by striking out "Attorney General or to the Board or filed in the office of the Secretary" and inserting: "Commonwealth."

Amend Sec. 103, page 5, line 9, by inserting after "claimant": "or any other party."

Amend Sec. 103, page 5, lines 11 to 14, by striking out "Notes of Testi-" in line 11, all of lines 12 to 14, and inserting: "notes of testimony furnished at the request of the claimant or any other party."

Amend Sec. 104, page 5, line 15, by striking out "of Contract Claims."

Amend Sec. 104, page 5, line 17, by striking out "Secretary" and inserting: "executive secretary."

Amend Sec. 104, page 5, line 20; page 6, line 1, by striking out: "of Contract Claims."

Amend Sec. 105, page 6, line 3, by striking out "of Contract Claims."

They were agreed to.

The article was agreed to as amended.

Article II was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 201, page 6, line 15, by inserting after "sued": "in the manner provided for in this act."

Amend Sec. 201, page 6, lines 19 and 20, by striking out "of Contract Claims."

Amend Sec. 201, page 7, lines 3 and 4, by striking out "of Contract Claims."

Amend Sec. 202, page 7, lines 7 and 8, by striking out "of Contract Claims."

Amend Sec. 202, page 7, lines 8 and 9, by striking out "Board of Contract Claims' jurisdiction insofar as" and inserting: "jurisdiction of the Board for the purposes of."

Amend Sec. 202, page 7, line 11, by striking out "is concerned."

Amend Sec. 203, page 7, line 14, by inserting after "contract": "pursuant to."

Amend Sec. 203, page 7, line 14, by inserting after "which": "a."

Amend Sec. 203, page 7, line 17, by striking out "of Pennsylvania."

Amend Sec. 203, page 8, line 7, by inserting after "law": "Such rules shall, however, provide (a) for the filing of an answer by the Commonwealth or any party interpleaded or impleaded within sixty (60) days of the filing of the statement of claim or the joinder of such party as the case may be; and (b) for the filing of preliminary objections by the Commonwealth or such party. The rules shall also provide that the Board may, in its discretion, permit the Commonwealth or a party interpleaded or impleaded to amend its answer within such time as the Board may allow."

Amend Sec. 204, page 8, line 9, by striking out "claims" where it appears the first time and inserting: "a claim."

Amend Sec. 204, page 8, line 9, by striking out "which claims" and inserting: "unless the claim."

Amend Sec. 104, page 8, line 10, by striking out "not."

Amend Sec. 204, page 8, line 10, by striking out "such claim" and inserting: "it."

They were agreed to.

The article was agreed to as amended.

Article III was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 301, page 8, line 14, by striking out "Secretary" and inserting: "executive secretary."

Amend Sec. 301, page 8, line 16, by striking out "such" and inserting: "the."

Amend Sec. 301, page 8, line 18, by striking out "All statements of claims" and inserting: "The statement of claim."

Amend Bill, page 9, by inserting between lines 13 and 14:

"Section 303. There shall be a charge of seventy-five dollars (\$75) for the filing of every statement of claim where the amount of the claim is five hundred dollars (\$500) or more. There shall be a charge of five dollars (\$5) for the filing of every statement of claim where the amount of the claim is less than five hundred dollars (\$500). There shall also be a charge of five dollars (\$5) for the filing of every other pleading with the Board. No agency of the Commonwealth shall be required to pay any filing fees."

Amend Sec. 303, page 9, line 14, by striking out "303" and inserting: "304."

Amend Sec. 303, page 9, line 15, by striking out "State" and inserting: "Commonwealth."

Amend Sec. 303, page 9, line 16, by striking out "in" where it appears the first time and inserting: "with."

Amend Sec. 303, page 9, line 16, by striking out "of Contract Claims."

Amend Sec. 303, page 9, line 20, by inserting after "succeeded": "the."

Amend Sec. 303, page 10, line 3, by striking out "of Contract Claims."

Amend Sec. 303, page 10, line 7, by striking out "of Contract Claims."

Amend Sec. 304, page 10, line 11, by striking out "304" and inserting: "305."

Amend Sec. 304, page 10, line 11, by striking out "of Contract Claims."

Amend Sec. 305, page 10, line 15, by striking out "305" and inserting: "306."

Amend Sec. 306, page 11, line 1, by striking out "306" and inserting: "307."

Amend Sec. 306, page 11, line 4, by striking out "parties" and inserting: "party."

Amend Sec. 306, page 11, line 4, by striking out "if any."

Amend Sec. 306, page 11, line 6, by inserting after "monwealth": "against the claimant or any other party from which no appeal has been taken or which has been sustained in whole or in part upon appeal."

Amend Sec. 306, page 11, by inserting between lines 12 and 13:

"4. In any proceeding before the Board of Contract Claims the Board may, in its order, include costs which may be assessed in whole or in part against the Commonwealth the claimant or any other party to the proceeding. Such costs shall be limited to the filing fees provided for herein, the cost of obtaining a copy of the notes of testimony and a fee of twenty dollars (\$20) for each day or part thereof of trial."

"5. If an agency of the Commonwealth shall fail to file an answer to a statement of claim, the Board shall in no event enter an order against such agency unless the Board shall have given the Attorney General fifteen (15) days' notice of its intention so to do."

They were agreed to.

The article was agreed to as amended.

Article IV was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Bill, page 11, line 15, by inserting before "TV": "Article."

Amend Sec. 401, page 11, line 20, by inserting after "interested": "in such an order."

Amend Sec. 401, page 12, line 1, by striking out "in the same order."

Amend Sec. 402, page 12, line 8, by striking out "of Contract Claims."

Amend Sec. 403, page 12, line 12, by striking out "of Contract Claims."

They were agreed to.

The article was agreed to as amended.

Article V was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendment:

Amend Sec. 501, page 12, line 15, by inserting after "claims": "of the kind described in section 201 of this act."

It was agreed to.

The article was agreed to as amended.

Article VI was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 601, page 13, line 15, by striking out "it refers" and inserting: "they refer."

Amend Sec. 601, page 14, lines 1 and 2, by striking out "in the settlement of" and inserting: "with respect to contract."

They were agreed to.

The article was agreed to as amended.

Article VII was read.

On the question,

Will the House agree to the article?

Mr. McCANN offered the following amendments:

Amend Sec. 701, page 14, line 7, by inserting after "of" where it appears the first time: "Contract."

Amend Sec. 701, page 14, line 11, by inserting after "act": "of which one hundred forty thousand dollars (\$140,000) is appropriated from the Motor License Fund and ten thousand dollars (\$10,000) is appropriated from the General Fund."

Amend Bill, page 14, lines 12 and 13, by striking out all of said lines.

They were agreed to.

The article was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "adjudication" and inserting: "adjudication."

Amend Title, page 1, fourth and fifth lines of Title, by striking out "and further."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

REPORTS FROM COMMITTEES

Mr. RENWICK from the Committee on Game and Con-

servation, reported as committed, Senate Bill No. 374, entitled:

An Act amending the act of May 28 1931 (P L 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth . . . , changing the license year to commence the first day of January each year.

Mrs. KOOKER from the Committee on Professional Licensure, reported as committed, Senate Bill No. 116, entitled:

An Act amending the act of May 1 1929 (P L 1216) entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bil No. 374 entitled:

An Act amending the act of May 28 1931 (P L 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of yater or non-tidal waters of any river within the Commonwealth . . . , changing the license year to commence the first day of January each year.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1116 entitled:

An Act amending the act of May 1 1929 (P L 1216) entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the first time, ordered, To be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. DAVIS asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS INTRODUCED AND REFERRED

By Messrs. McCORMICK, FRANK, CROSSIN and CAPITOLA
HOUSE BILL No. 2401

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting gambling on basketball games.

Referred to the Committee on Law and Order.

By Messrs. LOPRESTI and TOMPKINS
HOUSE BILL No. 2402

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds, and declaring the effect and validating certain prior transactions for the borrowing of money.

Referred to the Committee on Rules.

By Mr. COMER

HOUSE BILL No. 2403

An Act amending the act of May 27, 1957 (P. L. 203), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a high level bridge over the Allegheny River, in Freeport, Armstrong County, * * *," changing the location at which the bridge is to be erected.

Referred to the Committee on Highways.

By Mr. COMER

HOUSE BILL No. 2404

An Act repealing Section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes," abolishing certain requirements.

Referred to the Committee on Highways.

By Messrs. SCHWARTZ, McCANN and A. W.

JOHNSON

HOUSE BILL No. 2405

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining the word "document."

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 341.

An Act declaring and adopting the poem "Pennsylvania" by Gerall G. Dovenspike a Pennsylvanian as the official poem of the Commonwealth.

Referred to the Committee on Rules.

SENATE BILL No. 1046.

An Act prescribing penalties for failing to appear as required after being admitted to bail.

Referred to the Committee on Judiciary.

SENATE BILL No. 1079.

An Act amending the act of May 2, 1945 (P. L. 837), entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

Referred to the Committee on Rules.

SENATE RESOLUTION Serial No. 116.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1015.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the use of fire ex-

tinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

HOUSE BILL No. 1297.

An Act amending the act of April 6, 1956 (P. L. 1414) entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefore providing for the payment of such bonds and prescribing the rights of the holders thereof . . ." granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities.

HOUSE BILL No. 1992.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

SENATE BILL No. 689.

An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3) entitled "Uniform Commercial Code."

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

CITIES—COUNTIES, SECOND and SECOND CLASS A, Mr. Mihm, Chairman, Room 131-B, Tuesday, September 29 at 11:00 a.m.

CITIES THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Tuesday, September 29 at 11:30 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, September 29 at 9:15 a.m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Tuesday, September 29 at 11:30 a.m.

JUDICIARY, Mr. Fineman, Vice Chairman, Room 131-D, Tuesday, September 29 at 10:00 a.m.

LABOR RELATIONS, Mr. WARGO, Chairman, Room 131-G, Tuesday, September 29 at 11:45 a.m.

MOTOR VEHICLES, Mr. Dougherty, Chairman, Room 521, Tuesday, September 29 at 11:45 a.m.

PUBLIC HEALTH and SANITATION, Mr. Maxwell, Chairman, Room 331, Tuesday, September 29 at 11:00 a.m.

ADJOURNMENT

Mr. HOLT. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 29, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 6:28 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, SEPTEMBER 29, 1959.

No. 98.

SENATE

TUESDAY, September 29, 1959.

The Senate met at 12:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Father EDWARD J. KRETZ, Assistant Pastor of St. Mary's R. C. Church, Ford City, offered the following prayer:

O God, Creator of us all, direct our hearts and minds in every undertaking today.

We concern ourselves here with the law. Recollection is made of the inspiring protection which Thou didst render Thy tablets of Law on Mt. Sinai in days of old, so that men might progress to spiritual maturity. Grant us now that same protection in interpreting the laws of the Commonwealth for the material well-being and integrity of the citizens living within her borders. The task is difficult, O Lord, and without Thy help, staggering. We are grateful that our state acknowledges Thee as the source of all law, for there are those who are victims of the confusion in a godless government.

Come, Holy Spirit, fill the hearts of Thy faithful people and enkindle in them the fire of Thy love, through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF SENATE BILL No. 1084

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1084, Printer's No. 1343, entitled "An Act reenacting and amending the act of June 21, 1957 (P. L. 392), entitled 'An act requiring

that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public,' requiring public notice of such meetings and prescribing penalties."

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Melvin G. Riffer, 943 East Main Street, Clarion, Clarion County, for appointment as Justice of the Peace in and for the Township of Elk, Clarion County, to serve until the first Monday of January 1960, vice George A. Finefrock, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1542, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police towns and townships, and the regulation and maintenance pension funds or pension annuities in certain boroughs, thereof; . . .," changing the age at which a member of the police force may retire.

Which was committed to the Committee on Rules.

House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46), changing standards and qualifications for hospitals in which interns may train.

Which was committed to the Committee on Rules.

House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P. L. 90), authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Which was committed to the Committee on Rules.

House Bill No. 1971, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class, under certain conditions.

Which was committed to the Committee on Rules.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 96, Printer's No. 1429;
Senate Bill No. 277, Printer's No. 1428;
House Bill No. 315, Printers's No. 1649;
Senate Bill No. 397, Printer's No. 1431;
Senate Bill No. 755, Printer's No. 1432;
House Bill No. 1015, Printer's No. 1635;
House Bill No. 1023, Printer's No. 1640;
House Bill No. 1297, Printer's No. 1674;
House Bill No. 1528, Printer's No. 1636;
House Bill No. 1566, Printer's No. 987;
House Bill No. 1992, Printer's No. 1509; and
House Bill No. 2216, Printer's No. 1233.

REPORTS FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, reported as committed, Senate Bill No. 1168, entitled:

To promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentally providing for the organization, membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828),

entitled "Fiduciaries Investment Act of 1949," providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 P. L. 457), entitled "Building and Loan Code," permitting investment in notes and bonds of the Pennsylvania Housing Agency.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting associations of firemen.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the driving over fire hose and prescribing penalties.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959," requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1205, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payment to joint boards under certain conditions by the Commonwealth for the acceptance of non-resident pupils and providing for installment payments.

He also, from the Committee on Rules, reported as committed, House Bill No. 1993, entitled:

An Act amending the act of March 26, 1878 (P. L. 48), entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia, to appoint stenographers as commissioners to administer oaths and take depositions," extending provisions of the act to various courts.

He also, from the Committee on Rules, reported as committed, House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476), entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

HOUSE CONCURRENT RESOLUTION No. 59
REPORTED FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, to which was referred on September 15, 1959, the following resolution from the House of Representatives, reported the same without amendments as follows, viz:

JOINT STATE GOVERNMENT COMMISSION TO STUDY
LAWS RELATING TO THE EXERCISE TO CON-
DEMN PROPERTY FOR PUBLIC PURPOSES

In the House of Representatives, April 20, 1959.

There is widespread dissatisfaction in this Commonwealth with the present laws relating to the condemnation of private property for public purposes and with the procedure in effect thereunder for determining the amount of damages to be awarded in connection with such takings. This dissatisfaction is increasing because of highway extension programs, suburban expansion, urban redevelopment, municipal growth and public authority activities. It has been heightened further because of the lack of uniformity in law and procedure as evidenced in the multifarious laws under which the various condemnors in this State must now act. The courts have been handicapped in developing satisfactory procedures to aid in arriving at substantial justice between the parties involved because of these statutory variances and because of judicial precedents which originated largely during the agrarian period of the Commonwealth's history and which fail to take into consideration the problems created by a changing economy, the expanding population and a revised concept of what constitutes public use.

A thorough and exhaustive study of all statutes on the subject of eminent domain now in force in this Commonwealth should be made, and, in addition, comparable legislation of other states should be examined, for the purposes of:

(1) Developing a single procedure, if possible, to provide for a determination of compensation to be paid in all cases regardless of the identity of the condemnor;

(2) Providing for the use of court-appointed appraisers, but permitting the parties to offer additional testimony if they so desire;

(3) Providing for payment to condemnors and other interested parties of a percentage of the value of the property taken, as determined by the court-appointed appraisers, within a definite period of time following the filing of their appraisal report in court;

(4) Developing a more workable and modern definition of "just compensation" which shall be applicable to all condemnors alike;

(5) Defining "time of taking" so that it shall be uniform in practice for all condemnors;

(6) Requiring condemnors to institute proceedings for determination of damages payable within a definite period of time following the taking;

(7) Requiring such damage proceedings to be instituted against the owners of all of the property taken;

(8) Requiring that notice be given to all owners of property taken within a definite period of time after the taking;

(9) Requiring that personal or mailed notice of taking be given to tenants, mortgagees and other lienholders of record of the property taken;

(10) Giving tenants, mortgagees and other lienholders the statutory right to intervene and participate in damage proceedings to protect their respective interests in the damages to be paid;

(11) Requiring that a description of the property taken be recorded in the Recorder of Deed's office;

(12) Requiring that a notice of taking be filed in the Recorder of Deed's office, indexing the condemnee's name in the grantor index and the condemnee in the grantee index;

(13) Requiring that the Commonwealth be made liable, as other condemnors are, for consequential damages;

(14) Prohibiting condemnors from acquiring base fee interests in the property taken; and

(15) For making such other improvements in the law and procedure pertaining to this subject as may after such study prove to be equitable and just; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate exhaustively the law and procedure relating to the exercise of the right to condemn property for public purposes in Pennsylvania and for the payment of damages therefor, with a view toward proposing a complete revision and codification thereof into one statute in order to eliminate present inconsistencies, produce uniformity in practice and procedure, assure just and equitable treatment between all interested parties and in general improve the administration of justice in this field of law; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations and submit thereto a draft of codifying legislation which carries into effect such recommendations.

Laid over for one day under the Rules.

HOUSE CONCURRENT RESOLUTION No. 82
REPORTED FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, to which was referred on September 15, 1959, the following resolutions from the House of Representatives, reported the same without amendments as follows, viz.

JOINT STATE GOVERNMENT COMMISSION TO MAKE
A STUDY OF THE "FIRE AND PANIC ACT"

In the House of Representatives, June 9, 1959.

The laws of the Commonwealth of Pennsylvania relating to the safety of persons employed, housed or assembled in public buildings and other buildings and structures which accommodate a number of persons are in many instances obsolete and badly in need of revision.

Due to the advances which have been made throughout the years in the design and construction of buildings and the means of protecting such buildings and the persons therein, the same cannot be adequately governed by an act adopted over thirty years ago; therefore, be it

Resolved, (the Senate concurring) That the Joint State Government Commission be directed to make a thorough study of the act of April 27, 1927 (P. L. 465), sometimes referred to as the "Fire and Panic Act," and the amendments thereto, and related laws, for the purpose of recommending [an extensive] a revision and modernization thereof; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislators necessary to carry the recommendations into effect.

Laid over for one day under the Rules.

REPORTS FROM COMMITTEE

Mr. CONFAIR, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," permitting applications for admission to be made by certain persons; providing for the contents of physician's certificate; and extending the period of time during which certain persons may be restrained.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof, . . . operation and

conduct thereof, by the Department of Welfare; . . .," re-defining "boarding houses for infants."

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; . . . and prescribing penalties," redefining boarding houses for children.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

He also, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 1384, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" regulating voluntary admission of minors to institutions and further regulating emergency commitments.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1648, entitled:

An Act refining and providing for the licensing of child day care homes and centers; conferring powers and imposing duties for the Department of Public Welfare.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 of the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

BILL RE-REFERRED

Mr. CONFAIR, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 189, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," increasing monthly pension allowance and maximum income allowance, and establishing the sum of income and pension as a ceiling for pension receivable.

Which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. CONFAIR, from the Committee on Law and Order, reported as amended, Senate Bill No. 1110, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," making it unlawful for manufacturers, importing distributors or distributors to sell malt or brewed beverages at less than cost or at prices established with intent to injure competitors; further defining powers and duties of the board; prescribing penalties and providing procedures.

Mr. SARRAF, from the Committee on Local Government, reported as committed, House Bill No. 717, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 759, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment, rentals, rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," providing that such authorities shall pay their pro rata share of the expenses of water utilities incurred in providing such services.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 873, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," limiting the time within which tax assessments may be made.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), reducing costs or fees imposed upon counties of the second class in cases before salaried magistrates.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate; authorizing registration of previous conveyances.

Mr. KELLER, from the Committee on Education, reported as committed, House Bill No. 494, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the assignment of pupils.

He also, from the Committee on Education, reported as committed, House Bill No. 540, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the revision of territory upon abolition of an independent school district.

He also, from the Committee on Education, reported as committed, House Bill No. 752, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the inclusion of costs of treasurers' bonds and auditing of treasurers' accounts in estimates of costs of educating handicapped children and providing for reimbursements.

He also, from the Committee on Education, reported as committed, Senate Bill No. 786, entitled:

An Act amending the act of April 9, 1929 (P. L. 177),

entitled "The Administrative Code of 1929," providing the ratio of supervisors to teachers when the salaries of supervisors are included in budget subject to approval by the Department of Public Instruction.

He also, from the Committee on Education, reported as committed, Senate Bill No. 977, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing Boards of Trustees of State Teachers Colleges to enter in contracts for supplies and maintenance of buildings in certain cases.

He also, from the Committee on Education, reported as committed, House Bill No. 1443, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

He also, from the Committee on Education, reported as committed, House Bill No. 1942, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

BILL RE-REFERRED

Mr. KELLER, from the Committee on Education, returned to the Senate, House Bill No. 853, entitled:

An Act amending the "Public School Code," approved March 10, 1949 (P. L. 30), changing provisions relating to the approval of projects for reimbursement purposes.

Which was re-referred to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. WHALLEY, from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 1198, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

STUDENTS FROM ST. MARGARET MARY PAROCHIAL SCHOOL, PENBROOK, PRESENTED TO SENATE

Mr. TAYLOR. Mr. President, the children of the eighth grade of St. Margaret Mary Parochial School in Penbrook, under the direction of Sisters Benedict and Mercine, are in the balcony. They are here today to study Pennsylvania government. This is Father Kirchner's parish. They are in the gallery.

The PRESIDENT. Will the students please rise?

On behalf of the Senate, I am very happy to welcome you lovely children from the eighth grade of St. Margaret Mary Parochial School in Penbrook. I understand that Mr. Wambach has three children in your group, and I bumped into Mr. Sludden on the way in, who has one member of his family in your nice group. We are very glad to have you with us.

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE THE ALLEGHENY COUNTY SANITARY AUTHORITY, PURSUANT TO SENATE RESOLUTION, SERIAL No. 27

Mr. KOPRIVER, JR. Mr. President, the investigation

of the Allegheny County Sanitary Authority by a committee of this Senate has resulted in many important recommendations.

I realize that our report is being submitted at a comparatively late hour in this Session, and that it therefore, cannot be given the thorough and proper consideration it deserves.

I have, accordingly, prepared a resolution which I shall offer. It will direct that the Local Government Commission conduct a complete study of the Authority method of financing at the local level, and that the commission's report and its findings be submitted to the 1961 Session of the General Assembly.

Mr. President, I might add that I have placed on each Member's desk a copy of the Special Committee's Report.

The PRESIDENT. The report will be printed in the Legislative Journal.

Senate of Pennsylvania
1959

REPORT of THE SPECIAL COMMITTEE TO INVESTIGATE the ALLEGHENY COUNTY SANITARY AUTHORITY

Submitted to the Senate on
September 29, 1959

Senate of Pennsylvania
1959

The Special Committee to Investigate
the
Allegheny County Sanitary Authority

Frank Koprivier, Jr. Chairman
C. Arthur Blass
Arthur E. Kromer
Joseph D. Ripp
George J. Sarraf

Staff

Severino Stefanon, Executive Secretary
Louis C. Glasso, Esq. Counsel

On May 4, 1959, a resolution was offered to the Senate of the Commonwealth of Pennsylvania by Senator Koprivier for the appointment of five members of the Senate to investigate the rate making policy and the past and proposed expenditures of the Allegheny County Sanitary Authority. Said resolution was adopted June 22, 1959 and the Committee was appointed and consisted of Senator Koprivier, Chairman, and Senator's Kromer, Ripp, Sarraf and Walker. Senator Blass was appointed to the committee on August 4, 1959 upon the resignation from the Committee of Senator Walker.

In conformance with said resolution, hearings were conducted in the Governor's Conference Room in the State Office Building in the City of Pittsburgh on August 6, 7 and 14 and on September 4 of 1959. Numerous witnesses were called by the Committee and interrogated by Committee Counsel, Louis C. Glasso, and by members of the Committee with reference to matters contained in the resolution, to wit: alleged excessiveness of rates, alleged discriminatory rates and alleged wasteful expenditures. Representing the Authority was Leon Wald, Esq., of the City of Pittsburgh, who is permanent counsel for said Authority.

Among the witnesses called before the Committee were John F. Laboon, Executive Director and Chief Engineer of the Authority; Charles W.

Gordon, an employee of Combustion Engineering of Chicago, Illinois; Edwin B. Cobb, a Sanitary Engineer representing Metcalf and Eddy of Boston, Massachusetts, which company designed the plant, and Leon Wald, Esquire. The testimony of these witnesses explained the total cost of the plant and sewers, the specifications contained in the contracts with the Authority with reference to the design of the disposal plant itself, the incinerators used in disposing of waste products and other details dealing generally with the operation of the plant. Also called before the Committee were several lay witnesses who personally voiced complaints about excessive rates, inability to procure information requested of the Authority, odors emanating from the plant which were offensive to residents of the North Side section of Pittsburgh and the communities immediately below the plant site near the McKees Rocks Bridge.

BRIEF SUMMARY OF PERTINENT TESTIMONY

The testimony establishes that the Authority was created in March of 1946 under the Municipal Authorities Act of 1945; that the County Commissioners appointed a board consisting of five persons to prepare a report for a county-wide sewerage collection and treatment project and that 102 municipalities and some 30 industries were approached for the purpose of effecting a county-wide project. It appears that said project failed because many municipalities were unwilling to join for want of specific information with reference to rates and costs. Those municipalities which were willing to and did enter the county-wide project were the City of Pittsburgh and the Boroughs of Mt. Lebanon, Ben Avon, Pitcairn and Tarentum. Outlying areas such as Oakmont, Elizabeth, New Kensington, Duquesne, McKeesport and others are not now a part of the present system. When the county-wide project collapsed, Project Z was formed, comprising the City of Pittsburgh and 43 surrounding municipalities and was extended to include 70 municipalities. The City of Pittsburgh granted the Authority a loan of \$2 million to proceed with Project Z. Project Z was later extended to include 13 more municipalities in the Turtle Creek Valley and extensions were run to serve these communities at a cost of \$100,000, \$70,000 of which was paid by Westinghouse Electric Corporation.

On February 1, 1952, the Boroughs of Blawnox and Verona and the Townships of O'Hara and Penn, together with the Allegheny County Workhouse, signed an agreement for a sewer extension to serve those communities. The cost of said extension was approximately \$900,000 which was paid for by separate bond issues. The residents of these four communities are required to pay rates higher than those in Project Z; said rates will be referred to in the Findings which follow herein.

The testimony also establishes that since McKeesport, which was to be the collection center of surrounding communities, refused to join with the Authority, the City of Duquesne was unable to take advantage of the Authority's lines without assuming the burden and cost of constructing a river crossing and sewer to intercept the Authority's lines.

The testimony also establishes that since McKeesport, which was to be the collection center of surrounding communities, refused to join with the Authority, the City of Duquesne was unable to take advantage of the Authority's lines without assuming the burden and cost of constructing a river crossing and sewer to intercept the Authority's lines.

The Allegheny County Sanitary Authority, by

charter change, is now a joint authority, three of its five members representing the City of Pittsburgh and the other two representing the County. The Authority entered into an agreement with the City of Pittsburgh when Project Z was formed guaranteeing to the City that services to any other community would in no way increase the rates to the City of Pittsburgh. It appears from the testimony that the City extracted this agreement because of the \$2 million loan which has since been repaid. Other municipalities who have entered Project Z were required to pay costs of extension lines, as in the case of Monroeville and the Turtle Creek Valley, or had to construct its own lines to connect with interceptors belong to the Authority as in the case of Ross Township.

It appears from the testimony that the county-wide sewerage collection and treatment plan could not be effected on a voluntary basis and as a result the aforementioned Project Z was formed to serve a smaller number of communities. It further appears that other municipalities not now being served by the Authority will be required to construct their own plants because the present system is designed to meet future needs solely of those municipalities which now belong to the system.

A visual inspection of the plant by certain members of the Committee found a well constructed plant and from the testimony it appears that, some minor exceptions, the Authority is to be commended, and particularly Mr. Laboon, for securing top quality construction of sewers and plant, and there was no evidence found of extravagance or waste in the construction of the sewer lines and plant.

Considerable testimony was taken with reference to the process in the treatment of sewage. It definitely was established that the sewage treatment plant of the Allegheny County Sanitary Authority is not a conventional one; that it eliminates, for the purpose of saving costs in the treatment and disposal of sludge, some steps, notably the digester process. The process now being used calls for the burning of concentrated sludge containing some 78-84 percent moisture in specially constructed incinerators having a heat value per pound ranging from 10,000 to 12,000 B.T.U. The contract specifications call for incinerator units that will not emit offensive odors or gases, and such offensive odors and gasses under the contract are to be subjected to temperatures of at least 1250°F for a sufficient period of time to provide adequate opportunity for deodorization.

After hearing the testimony and reviewing the same, the Committee makes the following

FINDINGS OF FACT

1. The Allegheny County Sanitary Authority was formed in 1946 under and pursuant to the Municipal Authorities Act of 1945 requiring the establishment of reasonable and uniform rates.
2. The said Authority communicated with 102 municipalities for the purpose of forming a county-wide project on a voluntary basis.
3. The voluntary county-wide project failed and the City of Pittsburgh induced said Authority to create a smaller project comprising the City of Pittsburgh and some 43 municipalities.
4. The City of Pittsburgh loaned the Authority \$2,000,000.00 for the purpose of making plans and drawing up specifications for the creation of what later came into being as Project Z.
5. That the said Authority is in truth and in fact a joint Authority controlled by the City of Pittsburgh since said City appoints three of the five members of said Authority.
6. The rate set for Project Z is thirty cents per 1,000 gallons of water per metered premises.

7. The City of Pittsburgh has a firm agreement with the said Authority under which the said City has the right to accept or reject any municipality which requests to join the system.

8. The City of Pittsburgh is a necessary contracting party with any municipality outside of those municipalities now embraced in Project Z.

9. Under an agreement between the Authority and the City of Pittsburgh service to those municipalities outside of Project Z shall in no way increase the rates to the City of Pittsburgh.

10. That the upper Allegheny system, comprising the Townships of Penn and O'Hara and the Boroughs of Blawnox and Verona was erected at a cost to be borne by the users in said system by the payment of rates ranging from fifty to seventy cents per 1,000 gallons of water used.

11. That the Borough of Monroeville was required to pay the sum of \$450,000.00 for extension of lines to service residents of that Borough and the Turtle Creek Valley was required to expand the sum of \$100,000.00 for extension of lines to service Pitcairn and Trafford.

12. All users throughout the system have a uniform rate of thirty cents per 1,000 gallons of water consumed by meter with the exception of the Upper Allegheny System referred to above.

13. A rate of \$44.00 per year has been set for unmetered consumers throughout Project Z without regard to actual water used.

14. No allowances are made for purely water consumption on metered and unmetered users completely unrelated and unconnected with sewage facilities, such as swimming pools, lawn sprinkling, cooling, etc.

15. The sludge treatment and disposal process is an unconventional one and is a purely experimental system and considerable difficulties are being encountered in the incinerating process because of inability to control moisture content.

16. There have been repeated plant failures due to inexperienced help.

17. The incinerators are not operating according to specifications and as a result nauseous, foul and offensive odors daily emanate from the plant to such an extent that the property values have been affected and living in the North Side section of the City of Pittsburgh, the McKees Rocks section and in small communities along the Ohio River has at times become unbearable.

18. Repeated attempts to correct the emanation of foul and offensive odors have failed.

19. Engineers for the incinerator company are unable to guarantee that said odors will eventually be eliminated but have expressed a hope that in due time they may be eliminated.

20. Metcalf and Eddy, designers of the system, will accept no responsibility for the failure of the process now being used.

21. The difference in rates between Project Z and the Upper Allegheny System are arbitrary and violate the provisions of the Municipal Authorities Act requiring the establishment of reasonable and uniform rates.

22. There is no evidence of waste or extravagance in the erection and construction of the sewers and disposal and treatment plant.

23. There exists just cause for many municipalities not joining the Authority inasmuch as the Authority will not and cannot, because of the Authority's agreement with the City of Pittsburgh guarantee a uniform rate.

24. Funds of the Authority were used in experimental pilot plants under the direction of John F. Laboon, now Director of the Authority, on a process of sludge concentration and treatment.

25. The process used in the pilot plants is a process known as the Laboon Process, and said process, in substance, was patented in the name of John F. Laboon on May 14, 1957.

The Committee therefore makes the following

RECOMMENDATIONS

1. The Legislature appoint a Committee to make an investigation of all Authorities and to make recommendations to the Legislature for legislation requiring uniform rates to all users within a feasible area, similar to the uniform rating now being used by utilities such as telephone, electric power, transit, water companies, etc.

2. The Legislature enact into law legislation requiring representation of all municipalities on any Authority created for the purpose of providing service to the residents of such municipalities so as to guarantee to said municipalities a voice in the establishment of rates.

3. That the Legislature amend the Municipal Authorities Act and all other Acts relating to the creation of Authorities to require appointment to said Authorities of only those persons who are duly qualified elected representatives of the governing body of said municipality, borough, township, etc. so that the same may be responsible to the electors.

4. That the Legislature enact legislation requiring each Authority to submit all plans, together with costs of proposed expenditures, rates, etc., to the Secretary of the Commonwealth or some state department head for final approval.

5. That the Legislature enact legislation requiring the establishment of rates and any changes therein to be approved by the Public Utilities Commission and/or requiring the setting of said rates by the Public Utilities Commission after the presentation to said Commission of all pertinent data upon which said rates may be predicated, similar to the procedure now used with respect to public utilities, inasmuch as the disposal of sewage, although not for profit, is a public function affecting the lives of all the citizens and inhabitants of this Commonwealth.

6. That the contracts entered into by the Allegheny County Sanitary Authority with the City of Pittsburgh, with Metcalf and Eddy and with Combustion Engineering be submitted for study and recommendations of the Attorney General of the Commonwealth of Pennsylvania for the purpose of passing upon the legality of all said contracts and the legal obligations of the parties thereto.

7. That the Legislature enact appropriate legislation requiring the Allegheny County Sanitary Authority to extend service to all municipalities within Allegheny County which may wish to use the services at reasonable and uniform rates throughout said County so as to avoid excessive and needless expenditures by numerous municipalities within the County which are financially unable to erect their own disposal plants but which must do so in order to comply with the provisions of the Pure Streams Act inasmuch as the disposal plant of the said Authority has sufficient facilities and ample land for expansion to care for the needs of all municipalities within Allegheny County.

8. That the Attorney General of the Commonwealth of Pennsylvania be requested to bring any and all legal proceedings for and on behalf of the Upper Allegheny communities to have declared unenforceable and invalid the contract dated February 1, 1952 requiring the payment of higher rates than those of Project Z by the residents of said communities and that the Attorney General further be requested to take any and all neces-

sary legal steps and to institute all necessary legal proceedings to

A. Have declared unenforceable as against public policy the contract existing between the Allegheny County Sanitary Authority and the City of Pittsburgh;

B. Require the Authority to accept any municipality wishing to avail itself of the facilities of the Authority on an equal basis with members of Project Z at no cost to said municipalities for construction of extension lines to serve said municipalities and at no increased rates;

C. Eliminate Project Z and require that any increased costs of construction to serve any municipality in the future be borne proportionately by all municipalities within the County now being served or to be served in the future.

9. That the Attorney General be requested to make a thorough and complete investigation into the operational process and design of the Authority's disposal plant to determine whether or not the expenditure of millions of dollars was justified in what the Committee feels to be an experimental sludge disposal treatment process.

10. That the Attorney General be requested to investigate the process used in the pilot plants and the expenditures of funds of the Authority used therefor to determine whether or not the process patented in the name of John F. Laboon is the same process used in the experimental pilot plants and incorporated in the disposal plant of the Authority and to determine whether or not Authority funds were used for private purposes.

ALTERNATIVE RECOMMENDATIONS

1. The Municipal Authorities Act be repealed and in its stead a constitutional revision removing the constitutional debt limit so as to afford municipalities through their duly elected representatives the right to build the necessary facilities and provide the necessary services for their citizens and in this manner return responsible government where it belongs,

or

2. The Legislature enact legislation requiring the public election of all Authority members for definite terms at definite salaries to be set by statute.

SENATE RESOLUTION

DIRECTING THE LOCAL GOVERNMENT COMMISSION TO INVESTIGATE THE FINANCING OF MUNICIPAL IMPROVEMENTS

Mr. KOPRIVER, JR. Mr. President, I now ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KOPRIVER, JR. offered the following resolution (Serial No. 72), which was read and referred to the Committee on Rules:

In the Senate, September 29, 1959.

The practice of financing municipal improvements through the creation of authorities has grown widespread throughout the State, and has brought with it problems and difficulties which were not foreseen and are daily becoming more complex.

The investigation of the Allegheny County Sanitary Authority by a committee of this Senate points up clearly that a thorough and complete study of the entire practice at the local level is urgently needed, therefore, be it

Resolved, That the Local Government Commission be directed to make a thorough and complete investigation into all of the facts, matters and things connected with the financing of municipal improvements through the

creation of authorities and to the operation, maintenance, production and delivery of municipal, governmental and public utility services by such authorities, giving particular attention to the full cost of such financing, the necessity, adequacy, and effectiveness of the services rendered, the efficiency of operation, the uniformity and reasonableness of rates and charges, and any other matters or facts or knowledge of which would assist the General Assembly in enacting legislation concerning the problem, and be it further

Resolved, That the Local Government Commission shall have the power to issue subpoenas under its hand requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books, papers and documents as the Local Government Commission may deem necessary. Such subpoenas shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. The Local Government Commission shall have the power to administer oaths and affirmations to witnesses appearing before them. Any person who shall wilfully neglect or refuse to testify before the Local Government Commission or to produce books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the Local Government Commission make a report of its findings together with its recommendations to the next General Assembly.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, regarding the last resolution relating to the Report on the Sanitary Authority of Allegheny County, which resolution was referred to the Rules Committee as I understand it, and a copy of which Report has been placed on the desks of the Senators, I think the record should be complete and state that this is a Majority Report.

The Minority Members, on whose behalf I am speaking, have advised me that they will file a Minority Report. There are certain parts of this report with which they are not in accord and they will cover this material in their own Minority Report to be submitted before the Legislature adjourns.

The PRESIDENT. The reporter will make note that the Minority Report will be submitted later.

PERSONAL PRIVILEGE

Mr. SILVERT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, Mr. Silvert, will state it.

Mr. SILVERT. Mr. President, I want to take this opportunity to thank our popular Senate Librarian, Charlie Lathero, for the wonderful lunch which he served to the Members of the Senate and employees.

I want to tell you, Charlie, that we not only enjoyed your lunch, but we enjoyed your always pleasant association. Thank you very much.

The PRESIDENT. Thank you, Senator Silvert. I know that you spoke for all of the Senators, including the President, when you made that very nice speech.

MEMBERS OF THE LEAGUE OF WOMEN VOTERS OF NEWTOWN, BUCKS COUNTY, PRESENTED TO SENATE

Mr. KELLER. Mr. President, it is my pleasure this

afternoon to introduce to the Senate, five ladies from my own home town of Newtown, Bucks County, who are members of the League of Women Voters. I hope that you will welcome them here and that their stay here in Harrisburg is a pleasant one.

The PRESIDENT. Will the ladies rise, please?

On behalf of the Senate, I am very happy to have the members of the League of Women Voters here with us this afternoon. I enjoyed being in your town not very long ago when, on the stage of the Newtown High School, there was enacted a very historic history of your town. I enjoyed it very much, as did Mrs. Davis. We are glad to have you with us today.

BILLS INTRODUCED AND REFERRED

Messrs. BARR and FLEMING read in place and presented to the Chair Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034), entitled "Public Auditorium Authorities Law," increasing the number of members of the governing body of Authorities.

Which was committed to the Committee on Rules.

Messrs. KESSLER and WAGNER read in place and presented to the Chair Senate Bill No. 1209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," extending the time for the auditing of accounts of school districts of the second, third and fourth classes.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this is another phase in that refreshing debate which we had last week regarding a suitable poem for Pennsylvania. At that time, I promised to introduce this week the immortal and world famous poem about Pennsylvania, which belongs to the trenchant pen of Rudyard Kipling.

Although Kipling was not a resident of Pennsylvania, I believe that he belongs to the entire civilized world, especially to the English-speaking world. For that reason, there should be no scruples regarding his domicile or his citizenship.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 1210, entitled:

An Act declaring and adopting an excerpt from Rudyard Kiplings' poem "Philadelphia" that could be entitled "All in Pennsylvania" as the official poem of Pennsylvania.

Which was committed to the Committee on Rules.

Messrs. DONOLOW, McCREESH and MULLIN read in place and presented to the Chair Senate Bill No. 1211, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act," increasing compensation of the chairman and other members of the registration commission.

Which was committed to the Committee on Rules.

Messrs. WHALLEY and WALKER read in place and presented to the Chair Senate Bill No. 1212, entitled:

An Act directing the Department of Highways to conduct a study and survey to determine the advisability of widening state route 219 and making it a part of the federal interstate highway system.

Which was committed to the Committee on Rules.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Democratic Caucus Room on the Fourth Floor.

The PRESIDENT. Are there any objections?

Mr. BERGER. Mr. President, I do not wish to make any acid comments on this request for a recess, but yesterday they held their Caucus in the Conference Room at the rear of the Senate when the ball game started early. Now today they are holding it upstairs, on the fourth floor, when the game begins at five o'clock.

The PRESIDENT. There being no objection, the Chair declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (William Z. Scott) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

MRS. TILLIE SALKIND, HEAD OF CENTER CITY WOMEN'S DEMOCRATIC ORGANIZATION OF PHILADELPHIA, PRESENTED TO SENATE

Mr. DONOLOW. Mr. President and Members of the Senate, it gives me a great deal of pleasure to introduce to this group today one of the outstanding women in Philadelphia, who heads the Center City Women's Democratic Organization and who is the wife of our Registration Commissioner, Mrs. Tillie Salkind.

RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Republican Caucus Room.

The PRESIDING OFFICER. Are there any objections?

Mr. WEINER. Mr. President, there is only one thing that I would like to mention, and that is if the game does start, would you please bring us back a score from the Republican Caucus?

Mr. BERGER. Mr. President, if the game does start, the Caucus will be adjourned to the Conference Room at the rear of the Senate.

The PRESIDING OFFICER. There being no objection, the Chair declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE BILL No. 2326 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 9 of today's Second Reading Calendar, House Bill No. 2326, Printer's No. 1704.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

APPROPRIATION BILL ON SECOND READING AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31 1959.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, there are a number of amendments to be offered to this bill and we will try to do this in an orderly fashion. However, before doing so, there are a few things I would like to call to the attention of the Members of the Senate in order to apprise them of a situation which possibly, due to the time we have been here and the complexity of the work we have been doing, may have escaped some of the people here. If what I have to say is incorrect or in any way does not cover the ground about which we are talking, I am certain someone on the other side will correct me. As a matter of fact, I hope someone does and I hope that I am incorrect in some of the things that were said here and done here up to this point.

With the help of Senator Mahady, I have had the opportunity to add up the items that we have passed in the House and the Senate which have been non-budgeted. The total sum is \$27,861,200, which we have passed in legislation that was not in the Governor's Budget and for which there is no money, as allocated in the budget itself.

Almost all of these bills have passed here and some have been passed over in the House. Those which have gone through are based on areas which have covered different little projects and things that persons here have been interested in, but for which there is no money to accomplish them.

Despite all that, I read in the Philadelphia Bulletin the other day a statement which was attributed to Senator Kessler. I would like the gentleman to advise me, if he would, as to the correctness of this remark or whether the remark was ever made by him. He stated that after the cuts were made in the budget,—and I assume he was referring to the general bill here, House Bill No. 2326—he was advised by members of the Administration that the cuts were not only fair, but that they were adequate and that the money which was left to the departments was more than adequate for them to carry on their business.

Mr. President, I read this article in last night's newspaper. Since I read it, I had the benefit today of calling in the Budget Department and the department heads. I asked them, point blank, "Did they ever make this statement to Senator Kessler or anyone else, including any agent or assistant of his who might have called them?" The silence was less than deafening because nobody had anything to say. I very honestly would like to know where

these statements came from or who made them and on what basis they were made.

I would just like to point out here for a moment that in the budget the Governor has allocated to the Auditor General \$578,250 to run that department for the coming biennium, and in the Senate, this was raised to \$719,250. This is almost a \$200,000 increase, I do not want it to appear that this is a political maneuver, but I think I should point out that the Auditor General is of a different political party than that of the Governor or the Administration. I do not understand how this came about. I would also like an explanation of this type of activity.

Some of the cuts which have been made in the budget, I think, are directly against some of the areas in which some of the gentlemen on the other side live. Before we are through with this bill and finished offering our amendments, I would like some of those gentlemen to possibly explain how they are going to live under this type of a setup, when the deficit is actually built right into the budget. I think the Governor has stated this a number of times. In looking over these figures, unless I see them wrong, I cannot understand how we can do otherwise than have this deficit when we return.

For one moment, I would just like to point out something to the gentlemen who represent the areas surrounding Philadelphia. There was a cut made, which I will talk about a little later, that not only affects the people living in our area, but it affects the people who live in the surrounding areas. I would be very happy to hear from Senator Probert, Senator Watkins and the gentleman from Bucks, Senator Keller, on how they expect their people to receive any services in our area with this cut being made. I hope that this was an oversight, and that this was something they did not actually intend to happen. They will suffer as badly, if not worse, as the people living in the Philadelphia area. However, I will address myself to that a little later on.

I would also like to point out to you that this \$58,000,000 which you have cut from the budget is not an insignificant figure. It is one which I think will hurt all of us. There are other areas, for example, which will affect some of the Senators who are sitting on the other side. I believe you all well remember that I have called upon you a number of times and asked you to please let us know where these cuts could be made. For some reason or another, until this very day, we have received no answer to those questions or to those pleas, other than to finally give us this bill with the cuts already included in it.

I believe some of the Democratic Members sat with the Subcommittee of the Committee on Appropriations. I believe Senator Stevenson headed that committee. We asked him here on a number of occasions whether he would please advise us where these cuts were going to be made, and in what departments or what areas. We never received an answer to any of these questions. I think the record will bear me out that for the past three or four weeks, Senator Lane and I, and other Members from this side, pleaded with him to let us sit down with him and discuss this matter in order to find out where we are going. We never got so much as the courtesy of a reply. If this cut in the appropriations bill is the answer, and the cuts you have made in other areas such as the Pennsylvania Industrial Development Authority or redevelopment, I do not understand it. I hope before

we leave here today, you will explain it to us to our satisfaction.

I assure you that the Members on this side are as much economy-minded as anyone in this Body. We have voted for the taxes which will supply the money for this. Many of these taxes were obnoxious to us and have never been a part of our program. However, there was no other place to go and there was no other choice on our part. Therefore, we have gone along with it.

Having provided some of these funds to do this job, I think to just summarily cut some of these areas and departments which are backing these programs comes in ill grace. I hope there is some good and logical reason for it. If there is not, I think the only thing we can possibly do to correct what is a bad situation here is to restore the cuts and admit that the error was made on your part. It was made probably by looking at this matter from a one-sided point of view and one which was not all-encompassing or covering the areas which should have been covered.

Before I yield to the next speaker, Mr. President, I would just like to say that you cannot equate human beings or human problems in dollars and cents. The best we can do to take care of some of this human misery is to try to allocate some money that will relieve some of the suffering and some of the pain that some of these people have. To summarily cut some of these programs and to summarily remove some of the problems that we have had in this Commonwealth and correct them by not taking into consideration the over-all picture, I think is doing this in a rather brutal and hardhearted manner.

To get back to the original department about which we were talking, the Auditor General's Department, when you have cut the department of Welfare as badly as you have cut it, and when you have cut the Department of Public Instruction almost twenty odd millions of dollars, and then to increase Auditor General's Department \$200,000 when it does not deal with people and does not deal with particular service, it certainly is not in keeping with the economy that you have stated.

Of course, there have been those who have said, on other taxes, that they would pass them over their dead body. I hope that this is newspaper talk and not particularly what they have said. If they have been quoted correctly, I think the willingness to die in order not to pass a tax on people is a rather interesting phase. It is one which kind of escapes me a little bit, but maybe there is a reason for it. I certainly hope you can make it known here. The other aspect of it—to die in order to try to help people or go all out to do all you can for them—I think is certainly in keeping with helping people who, actually, are our greatest asset in this Commonwealth, far beyond anything that we know. This certainly would be more in line, rather than dying for a tax.

I think we have laid the burden pretty heavily on the consumer. The least we can do for the consumer and the little people in this Commonwealth, the average working guy and the people who are unable to take care of themselves, is to at least give them what measure we can of relief through the amount of money the Governor has asked for.

I would like to just point out one other thing to you before some of the other people here take up the amendments which they have to offer to this measure. The Gover-

nor, himself, cut everyone of these departments before he even set the amount down. The House has also cut some of these amounts and, therefore, there was no fat to begin with. The area in which you are cutting, I think, are tendencies to hurt people. I am sure you do not want to do this. If you do, I would like to know the reason for it in order for use to at least have on the record the purpose of these cuts and the areas they are taking in.

Mr. President, I would like to now yield to Senator Lane.

The PRESIDING OFFICER. The gentleman from Philadelphia, Senator Weiner, yields to the gentleman from Washington, Senator Lane. The gentleman will proceed.

Mr. LANE. Mr. President, and Members of the Senate, I do not believe this is the place for demagoguery because we are at the crucial portion of this Session since we have come to the time when we must vote upon appropriation bills. I have never been satisfactorily informed by the Majority Party in regard to the increases in the Auditor General's budget. The members worked hard and diligently on this special subcommittee. We Democratic Members were ignored and excluded from the executive sessions.

I feel that the people of Pennsylvania are entitled to an explanation in regard to the increase in the Auditor General's budget.

Mr. President, I would like to interrogate some Member on the other side. I imagine Senator Kessler would like to answer my question. If so, I would be very happy to interrogate Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, do you have your budget?

Mr. KESSLER. Yes, sir.

Mr. LANE. You will note that the Administration gave the Auditor General the sum of \$578,250. In addition to that, on page 21, they allocated \$3,199,051 for the operation. Could you explain to me, Senator Kessler, why the Senate increased the original allocation to \$719,250, including the \$3,199,051 on top of that?

Mr. KESSLER. Mr. President, at the start, may I say the following, not in direct answer to Senator Lane's question, but to understand the whole problem of the Auditor General's Department:

There was an agreement, I believe, between the Administration and the Auditor General's Department early this year that the Auditor General, in doing the auditing work, would bill each department only for the actual amount of work performed, and when those bills are submitted they are reviewed by the Executive Board, which is made up, I believe, of the Governor and some of his staff, and only such amounts as they deemed valid would be approved. Consequently, the budget for the Auditor General, if you take the total, is in many cases very much of an estimate, the best estimate that they could arrive at. You will find the costs of the Auditor General's work scattered through the entire budget.

There are some costs that they could not allocate to specific departments, and that lump sum is shown in the budget, I believe as \$578.20.

Just recently, we received word from the Auditor General that he would need \$141,000 additional in order to do the remaining work in auditing the Firemen's Relief Association Funds. I understand that the total

cost of that job is well over \$250,000, and the practice in the past has been to charge that to what is known as a fund called County 68. It is the two per cent commission or premium on certain types of insurance which cannot be allocated to a specific county. The auditing costs were removed from that particular fund before the balance left was distributed to the various Firemen's Association Relief Funds. There is some question, I believe, as to the legality of doing that, and the Auditor General requested this additional amount for that purpose.

That is about all I can say on that subject.

Mr. LANE. Mr. President, just to inform the public, I wish to advise that the auditing costs are charged against the budgets of the various departments in government. In other words, a portion of their budget will be paid over to the Auditor General of Pennsylvania.

In the 1957-1959 biennium, the Auditor General of Pennsylvania had a budget of \$2,702,354. As of right now, and not counting the \$141,000 additional which they add to this budget, the Auditor General now has a budget of \$3,771,301.

Mr. President, I am speaking to the people of Pennsylvania. I believe you realize right here that although they have cut \$58,000,000 from the administration of government, the Republicans have made doubly sure that the Auditor General is well supplied with additional funds. I believe it is political, Mr. President. As a matter of fact, all of us must think a little politically now and then. The Republican Party in Pennsylvania has gained many a major victory on the floor of this Senate. I believe, in all fairness, that the people of Pennsylvania should be given some consideration. Therefore, I say to you that I want to call to the attention of the public, as a whole, the problem that we have and the lush budget that the Auditor General of Pennsylvania has.

Mr. President, on behalf of the Members of this Senate on the Democratic side, I offer the following amendment and move its adoption.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 4, line 5, by striking out "\$719,250" and inserting: "\$578,250."

On the question,

Will the Senate agree to the amendment?

Mr. KESSLER. Speaking on the amendment, Mr. President, I would like to refresh the minds of the Members of the Senate who were here in 1957. The total budgeted amount requested by the Auditor General for the biennium of 1957-1959 was \$4,626,000. Governor Leader cut that budget by \$900,000, with the result that for the past two years, and I believe even up to the present time, you will find that employees of the Auditor General's Department are among the lowest paid employees of the State. They did not have the funds to make increases which were granted to other employees here on Capitol Hill.

If we are going to base this year's appropriation to the department on the ground that they had so much money in the previous biennium, regardless of what took place in the preceding biennium, then we are going to make a grievous error.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us that if the amount in the budget, \$578,250, was the exact amount that the Auditor General requested and which the Governor gave him, would he then agree that this is the figure that we should use, and not the other figure?

Mr. KESSLER. Mr. President, I have tried to explain that we have increased that amount by \$141,000 to take care of the auditing of the Firemen's Association Relief Funds, which are now being taken from what is known as "Fund County 68," I believe.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate if he was present at the time the Auditor General appeared before the Senate Subcommittee on Appropriations?

Mr. KESSLER. I think I was present; yes sir.

Mr. WEINER. Mr. President, will the gentleman please advise us whether at the time the Auditor General appeared before the subcommittee, he asked for this additional fund?

Mr. KESSLER. He did not, Mr. President.

Mr. WEINER. Mr. President, I want to thank the gentleman.

Mr. President, I believe by the gentleman's own admission, as a member of the subcommittee and also as Chairman of the Finance Committee and his great regard for the economies that the State might make, that it seems a little ill-advised to add on additional funds at a time when the gentleman who runs the department is not even asking for them. There appears to be no justification for this, when the head of the department does not ask for money and you give him additional money and he just so happens by coincidence to be a member of the same party as you are, and I think this certainly should be looked up with askance. I think if we truly want to have economy in government and the gentleman is sincere,—and I have no question that he is—he will vote for this amendment to restore it to the amount the head of the department, Mr. Smith, asked for, rather than give him this additional amount of money, which almost amounts to \$200,000 which we can use in some other areas, such as our hospitals and our mental institutions.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler. I just have two questions.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be further interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, on this additional allocation which was requested by the Auditor General, could you advise the Members of the Senate as to whether or not the Governor's Office or the Office of Administration approved this additional appropriation?

Mr. KESSLER. I do not know whether they did or not. I cannot say.

Mr. LANE. Did the Auditor General approach you on this increased allocation?

Mr. KESSLER. One of his deputies did, yes.

Mr. LANE. I see. Thank you very much, Senator.

Mr. President, it is quite indicative to me that the Auditor General of Pennsylvania has no difficulty with the Budget Committee when it comes to additional funds. However, this same Budget Committee would cut \$10,000,000 from Public Assistance without discussing the problem at all with that particular department.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. LANE and Mr. DONOLOW and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. RUTH. Mr. President, I offer the following amendment, and ask that it be adopted.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 45, line 9, by striking out "\$7,004,272" and inserting: "\$7,257,272".

On the question,

Will the Senate agree to the amendment?

Mr. RUTH. Mr. President, this amendment will restore to the State Police the \$253,000 that was cut off in the General Fund, which cut-off will automatically take another \$897,000 from the State Police that would come out of the Motor License Fund, making their actual cut \$1,150,000.

On March 10, 1959, we voted with great gusto to give the State Police a \$300 a year salary increase, and a one dollar a day subsistence increase.

We are actually giving them an increase of \$4,272 a month more than they received two years ago. They spend less because they have 132 vacancies due to the austerity program and, because of that, they lapsed almost \$1,900,000. On that figure, this Budget Committee wants to appropriate \$7,004,272. However, at the same time, we offered and promised these men in our Platforms, both Parties, that we would give them a salary increase and an increase in their subsistence. The subsistence increase alone amounts to \$1,400,000, and the additional 200 State Police that they are voting for would amount to another \$1,350,000. Therefore, we are just simply shortchanging one of the strongest arms that we have in our State Government.

Just this week, we passed a bill which will require a great deal more work on their part. We have promised them a salary increase, and we are not appropriating the money. For that reason, I ask that this restoration be

made, this additional \$253,000, which would bring another \$897,000 because twenty-two per cent of their money is allocated from the General Fund and seventy-eight per cent from the Motor License Fund. If we cut off \$253,000 from the General Fund, we automatically cut off another \$897,000 from the Motor License Fund.

I plead to restore this cut to the strongest arm of the State Government.

Mr. LANE. Mr. President, when the Commissioner of the State Police and his assistant appeared before our subcommittee, they gave us a detailed outline as to the salaries of the members of the State Police.

Probably the people of Pennsylvania would like to know that a trooper receives, as base pay, \$136.50 bi-monthly. In his second year, he receives \$140.50; the third year, \$144.50; the fourth year, \$148.50; the fifth year, \$152.50; and in his twenty-fifth year, if you please, a member of the State Police receives bi-monthly \$183, plus the sum of \$38.50 as subsistence.

When these gentlemen were before our committee, everyone on the committee had the greatest respect for the State Police of Pennsylvania and the job that they are attempting to do. At the same time, after they left and the executive meetings were held, they forgot about the State Police and their responsibilities, and they cut this budget to the bone. How in the world are we going to give them a raise? How are we going to increase the number of State Police with such a budget as this?

It seems to me that some of the gentlemen on the other side should take the floor and inform the people how they plan to do this.

Mr. WEINER. Mr. President, I desire to interrogate the gentlemen from Clinton, Senator Stevenson.

The PRESIDING OFFICER. Will the gentleman from Clinton, Mr. Stevenson, permit himself to be interrogated?

Mr. STEVENSON. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us, the the Chairman of the Subcommittee which sat in with the Appropriations Committee and heard the State Police, how they can give any raises by cutting the budget \$253,000 from the amount which they asked for originally?

Mr. STEVENSON. Mr. President, the State Police are given, out of the General Budget, an increase of \$470,602 which will attract from the Department of Highways another seventy-eight per cent. That will be sufficient to give them their increased subsistence, and to carry on the State Police salary schedule as in the past.

This budget is predicated on the idea that there is no legislation, at the present time, that has been adopted which will increase the State Police by 200. If they are increased by 100, the budget will be so much, and if they are increased by 200, it will be that much more. However, this will bring the complement up to 1,900, and there will be ample money for them to carry on and to get their increases as requested by the State Police themselves.

The only question in abeyance here is as to whether or not the number of State Police shall be increased. Until that particular matter is settled by an Act of the General Assembly, these figures should stand.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate how he voted on that bill that came before us—I hope he will forgive me as I do not know the exact number and I do not have it at the

moment—which increased the salary and subsistence for the present members of the State Police?

Mr. STEVENSON. I voted “aye,” as far as I can recall, and the money is here to take care of that.

Mr. WEINER. Mr. President, can the gentleman explain to us, in view of the statement made by the person who appeared on behalf of the State Police before the Appropriations Committee, where he feels we will get enough money, after having cut two hundred and some thousand dollars out of the budget, to provide for the salary increases? I believe the statement was made by the Commissioner and those people who were with him at the time, who had the statistics with them, that this was the exact amount of money they needed to meet this raise and to meet the general operating expenses of the State Police. Now having cut two hundred and some thousand dollars out of the budget, \$253,000 to be exact, how are we going to meet this increase?

We have here the problem of this compensation increase bill passing the Senate, Senator, and, if you please, you voted for this. By the same token, at a later date, you cut out the very heart or part of this program by cutting out the money that will be necessary to do this job. I cannot follow this reasoning. I wish you would explain it to me and other Members of the Senate who may have the same difficulty that I am experiencing.

Mr. STEVENSON. Mr. President, this is a question of policy. The State Police stated at that hearing that they were short seventy-five police under the complement. They had fifty of them in Hershey who were prepared to go into service, and they had another twenty-five whom they planned to train. That has all been taken into consideration. Their increased subsistence has been taken into consideration and, also, their salary schedule. There is ample money in this bill to take care of them.

I still contend that the question has not been resolved by the Legislature as to the increase in the number of State Policemen and, perhaps, that is the argument that you are advancing.

Mr. WEINER. Mr. President, will the gentlemen please advise us regarding Senate Bill No. 118, sponsored by Senator Kromer and Senator Walker in February of this year, which is, as of September 14, 1959, in the Appropriations Committee of the House, having passed this Body? On page 4 of this bill, it is stated that the minimum subsistence allowance shall be \$3.75, and that there shall also be an increase for everybody below the rank of major of \$300 per annum over compensation received on the effective date of this amendment. When the Commissioner of Police appeared before the Appropriations Committee, I believe he very clearly stated that this was the minimum amount of money with which he could operate, and he was not taking this Senate Bill No. 118 into consideration because it had not been passed as yet.

You, sir, having voted for this measure which will become law when the money is provided for it,—it is over in the House now and it probably needs just one more reading because it passed First Reading on September 10, 1959, and was referred to the Appropriations Committee—how can you justify taking away the basic revenue they need to operate on the old basis and yet vote to give an increase to the people on the force now and not provide the money to do so?

My question to you, and to the rest of the members who

have cut this budget, is how do you intend to do these two things and all of the inconsistent things?

Mr. STEVENSON. I still repeat, Mr. President, that this increase of \$470,00, which is the General Fund portion of this budget, will attract sufficient money from the Motor License Fund to take care of these items. I have no fear that they will not have enough money. I repeat, again, that the one question involved here is as to whether we are going to increase the number of State Police.

Mr. WEINER. Mr. President, I want to thank the gentleman. I would like to state, in closing, that I think the answer to this question is a very simple one. It is, if you cannot meet the obligations you have now with the present personnel, how can you possibly add any more to it when the people who run it and who apparently know quite a good deal about it say they do not have enough money now to operate? You give them an increase, then cut money out so that you cannot even meet this increase, and then you would like to know if there are going to be more people on the force.

There is something about this type of reasoning that I do not quite follow, and it does not make sense to me. I feel that the inconsistency of taking away the basic money they need and then giving them an increase is so basic that I do not think we can even discuss whether there will be more or less State Police. My own impression would be that there should be fewer police in order to meet the payroll.

Mr. STEVENSON. I think you are absolutely wrong.

Mr. President, I think there is plenty of money here. However, if the General Assembly increases the number of State Police by 100 or 200, then some adjustment will have to be made. This allocation here is based primarily on the number of State Police, 1,900, and to take care of the seventy-five who were not on the force last year.

Mr. WEINER. Mr. President, I do not want to delay this matter unduly. However, I would like to suggest to the gentleman, and other Members who might have the same line of thinking in regard to this subject, that I cannot see how we are going to adjust this matter, because this matter is now before us and I believe the fond hope is to pass this bill today and tomorrow and try to do what we can with it. Now if the force is increased, we may not be in Session to take care of this situation. I do not believe, Senator,—and I am sure that you are an advocate of running the State's business as you would any other kind of business—in hiring additional people whom you cannot pay if you cannot take care of the State Police who are now on the force in a proper manner.

Mr. STEVENSON. Mr. President, if the number of State Police is increased 100 or 200, that will have to be a supplement to the budget. We do not know whether the General Assembly is going to increase this number by 100 or 200. If it does, then there will have to be some adjustment made. However, you cannot sit here today and decide that the Legislature is going to add 200 more State Police and put the money in here today. We do not know what the General Assembly is going to do.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman that there are now seventy-five vacancies. I believe that was testified to by the Commissioner of the State Police when he appeared before the Appropriations Committee. For the 1,825 men whom he

had on his force at that time, he said this was not enough money.

I just fail to follow this specious argument. I do not understand it.

Mr. KESSLER. Mr. President, may I add just a few more figures to the many that are floating around?

In the 1957-1959 biennium, the State Police lapsed a total of \$2,627,813.36 in the Motor License Fund as well as the General Fund. At the present time, the State Police are under their complement by 166 men, thirty-three of whom are in military service. There was a real question in the minds of many of us who went over this budget as to whether it would be possible to recruit and train the number of men which had been indicated in the budget. That may be feasible, but we doubted it.

Mr. WEINER. Mr. President, I agree with the gentleman that there has been a lapse, but there was also a lapse in the Department of Health during the last biennium, because they did not have enough money to do the job nor to man all of the bureaus. As people who run a department properly, if they cannot do the job, the thing they must do is return the money. You can have even a greater lapse and get more money back if you cut down the number of people and they could not recruit any more. However, that does not mean that the Commonwealth's business is being accomplished or done in an efficient or an effective manner.

Mr. KESSLER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. KESSLER. I would like to ask the Minority Leader whether the \$250,000, roughly, that we are taking out of the General Fund will result in a total cut for the State Police of about \$1,000,000.

Mr. WEINER. Mr. President, I am not prepared to answer that question at this time. I would have to look at these figures. I do not want to just throw figures promiscuously around here without having given them some thought and some careful consideration.

If the gentleman is telling us that as a statement, I would like to say that I will agree on the statement as he makes it. I do not know whether it is true or not, unless he is prepared to tell us that.

Mr. KESSLER. Mr. President, on page 139 of the Budget, under the Pennsylvania State Police, there is shown an item for Traffic Control proposed for 1959-1961 in the amount of \$25,000,000. Last year, the amount allocated was \$20,500,000.

I would like to ask the Minority Leader whether he agrees that this represents about a \$5,000,000 increase for this biennium.

Mr. WEINER. Mr. President, I think the arithmetic would indicate that that is correct.

Mr. KESSLER. Thank you very much.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. LANE and Mr. DONOLOW and were as follows, viz:

YEAS—22

Barr, Camel,	Lane, Mahady,	Mullin, Murray,	Sarra, Seyler,
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DiSilvestro,
Donolow,
Hays,
Kalman,

McCreesh,
McGinnis,
McMenamin,
Miller,

Ripp,
Rooney,
Ruth,

Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,

Mallery,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. LANE. Mr. President, on behalf of the Democratic Members of the Senate, I offer the following amendment, restoring the cuts to the Department of Internal Affairs. After the amendment is read, I would like to speak on this particular subject.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 8, line 16, by striking out "\$2,-092,285" and inserting: "\$2,907,739".

On the question,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I am wondering just what the Majority Party does not want this department to do. They arbitrarily cut this budget a little over \$800,000. Perhaps Senator Kessler can advise me, if he will, what they do not want the Department of Internal Affairs to do.

Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, in regard to these budget cuts, could you tell the people of Pennsylvania just what you do not want the Department of Internal Affairs to do?

Mr. KESSLER. Mr. President, we would like to have the department carry on in the work which is being done there. I believe the budget, even with the reduction, will show an increase over the previous biennium of \$223,358. Therefore, there should be money there to carry on the existing work.

Mr. LANE. Senator Kessler, at the time Miss Blatt appeared before our committee, do you recall that she had a number of programs which she would like to put over, especially this survey which, I think is partially completed? Did you cut that out of the budget?

Mr. KESSLER. Mr. President, there were many new or expanded programs which were proposed. It was the feeling of most of us that since we had to make up a deficit of \$141,000,000, this was no time to embark on new and expanded programs. Which ones they might be, specifically, I cannot say at this time.

Mr. LANE. Senator Kessler, I worked with you a long time and I know you pretty well. You surely went over this budget with a fine-tooth comb. There were certain phases in this budget which you cut to arrive at this figure. There is no question about that. I believe, in all fairness to Miss Blatt and to us and to the people of Pennsylvania, you should tell us where the cuts were made. That is all we want to know.

Mr. KESSLER. Mr. President, the Budget Office preferred not to have line budgets, but rather total lump sum appropriations for departments. I am quite sure that for the Department of Internal Affairs, there is only one lump sum budget. I will have to check that in the appropriations bill. What the Department of Internal Affairs does with that money is up to Miss Blatt, I suppose, with advice from the Governor.

Mr. LANE. Mr. President, that may be entirely true. However, you just do not go into a meeting to review fiscal affairs unless you review all phases of the operation of a department. At that time, you go over that budget and where you feel there is excess spending, you generally cut. I agree that Miss Blatt should have a lump sum with which to operate. However, what all of us would like to know is where these cuts came from. They must have come out of the sky. In looking at the appropriations bill, it says as follows:

"To the Department of Internal Affairs

"For the salaries wages and all necessary expenses for the proper administration of the Department of Internal Affairs as provided"—by certain acts—"and The Administrative Code of 1929 including maintenance of land records publicity and information statistical services municipal affairs and bond issues performance of duties," and so forth.

There are a number of functions which Miss Blatt operates in her department. Certainly some of these operations were cut in order to arrive at this total figure. All we want to know is what is wrong. What is it they do not want Miss Blatt to do? I still have not received an answer.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Erie, Senator Blass.

The PRESIDING OFFICER. Will the gentleman from Erie, Mr. Blass, permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. WEINER. Mr. President, I wonder whether the gentleman would advise us, if I were to tell him that the Secretary of Internal Affairs, if she were allowed to make this Airborne Magnetometer Survey of the northwestern part of Pennsylvania,—and there is some indication that they now have—and if that survey dictates that there might be new deposits of gas, oil and other minerals of great value buried there, would he vote for this cut in this department?

Mr. BLASS. I am going to look into a matter pretty carefully before I vote on anything. I am not familiar with it.

Mr. WEINER. Mr. President, from what the gentleman just told us, am I to assume then that he has not had an opportunity to look into this matter very carefully before he voted for the cuts?

If the gentleman would like to confer with his solicitor, Senator Ehrgood, I will be very happy to allow him the time to do so.

Mr. BLASS. Private industry, in my opinion, is doing that at the present time. I think it is probably doing a very satisfactory job. I do not see any reason for any governmental interference, if that is the case.

Mr. WEINER. Mr. President, I wish to inform the gentleman that the Secretary has information that this job is not being done by private industry; that they will not undertake it or begin to consider it because of the vast

amounts involved and of the nebulousness of the ability for them to obtain possession of this land after they discover the mineral wealth which might be there. For that reason, they have decided not to undertake this type of a program. If I were to advise the gentleman that there are such deposits and they could be very easily brought to the attention of the people living in his area, to provide new industry, would he then vote against the Secretary receiving the money for which she has asked?

Mr. BLASS. I would want to be very sure that I had such information before doing so.

Mr. WEINER. Mr. President, will the gentleman please advise us how he is going to go about obtaining further assurances or further edification on this subject? The cuts are now in the budget and they will not be restored unless he, as one of the advocates for restoring them, particularly as it refers to his area, votes for it.

Mr. BLASS. I would not want to take the word of one individual before forming in my mind what is the right course to pursue. I would want to be satisfied that the facts were such that would warrant any government expenditure, when private industry would be amply sufficient to take care of the problem involved.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of this Senate what he did in this area before he went along on these cuts in the budget?

Mr. BLASS. I have not done anything individually. However, I have taken the assumption that those cuts were sufficient, under the circumstances, until such time as the facts warrant to do otherwise.

Mr. WEINER. Mr. President, I have too much regard for this gentleman as a lawyer, and a man who has dealt only with facts, to even believe that he would just take an assumption, without getting the facts. I would very respectfully suggest to him that he advise us if he is going to take any action to that we will know what action we have to take in getting the facts before us that we know how to properly vote, since it affects his area and his county.

Mr. BLASS. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President. However, I did not realize that this was the answer to the question I asked. If this is what the answer is, however, I will be glad to allow myself to be interrogated.

Mr. BLASS. Mr. President, will the Minority Leader inform me just what amount he plans that we could save by government expenditure, in the form of deposits?

Mr. WEINER. Mr. President, I would be very happy to advise the gentleman. If there are such deposits under the ground, you will not save any money, but you will gain money for your area by providing new industry and also by finding more and richer minerals. I believe this has been the very essence of our government.

I think one of the things we have been celebrating in this Commonwealth is the bicentennial of the founding of oil. I think that is not too far from where the gentleman lives. Therefore, I do not think it would be amiss to assume that maybe somewhere along the line, there might be some more of these deposits. Private industry has not seen fit to do anything about it and I feel this

might be an area for the government to point the way, as we do in redevelopment, housing, and in our Authorities which we have set up to bring in new industry to Pennsylvania.

Mr. BLASS. Will you kindly inform me in what portion of my area these deposits are located, if you have that information?

Mr. WEINER. Mr. President, I would like to advise the gentleman that this is what I have been pleading with him to do. The Commonwealth will be very happy to point them out to him if he would only provide the money for it to do so. They already have the lead on some of this, but they lack the necessary funds to finish the job.

Mr. BLASS. Mr. President, would the Minority Leader inform us as to what these deposits contain and what the nature of the deposits is in this specific area?

Mr. WEINER. I will answer the gentleman's question by stating, as has been stated by the Secretary of Internal Affairs when she appeared before the Committee of Appropriations that the purpose of this is to spur further explorations for new deposits of oil, gas and other valuable minerals which now exist in that area, and which are available, if only the people had the proper guides to go by, which are these maps and these surveys and which no one has seen fit to make. They exist right in the gentleman's area.

Mr. BLASS. Mr. President, from what I have gathered, I have no specific information as to any deposits being there so far, neither oil, gas nor minerals. Until such time as some concrete evidence is produced I would be very loathe to authorize the expenditure of State funds for the purpose of exploration.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that we are not asking to explore this or have explorations. We just want to give spur to these explorations. I think that the gentleman has heard of Colonel Drake, who was not a colonel until we made him a colonel. It was said there was no oil in the area of the county from which Senator Shafer comes until this gentleman drilled, and most people thought he was foolish to do so. This was the first finding of oil, which has made this State a great State as far as that mineral is concerned.

Mr. BLASS. Mr. President, I have frequently said on the floor of this Senate that I do not believe the field of private enterprise should be invaded anymore than necessary by the government or by the State, and I stand on that premise.

The minute we become engaged in business that is purely the doctrine of private enterprise, we cease to be a democracy, and we don the robes of socialism. I am a very strong adherent of the Republican system of government, and upon that rock I will build my church.

Mr. WEINER. Mr. President, I think the gentleman speaks very well, and I would like to ask him whether he would suggest, as a result of his speech, that we now tear down the port of Erie and the work done by the Federal Government in building up this great port.

Mr. BLASS. Mr. President, I am very strongly an advocate of port development. I believe that the Port of Erie is destined to become one of the great ports along the St. Lawrence Seaway. I do not think we are going to suffer by any proposed cut. I think that is amply covered by

the general increase to the Department of Forests and Waters of \$7,000,000 over the preceding biennium. If the department is sufficiently interested and the State and the Governor are sufficiently interested, this port development will continue.

Mr. WEINER. Mr. President, might I remind the gentleman that it was the Federal Government which helped build this seaway that has made the Port of Erie a great port, and not any individual money, nor any private enterprise, but by general enterprise. May I point out to this gentleman one other thing? I did not mean to get into this area, and I am going to conclude with this.

I believe the Senator from Erie also voted for the bill that was properly known in this Senate as the "Development of Coal Bill." I think it was \$150,000 that we allocated for the development of coal research, to be used for topping for roads. If this is not counter to the principles that he just advocated a few minutes ago, I may not have been listening very carefully to him. If he feels that we can do away with State-aid to different areas, I would be very happy to join him in striking out his area, if he thinks that is an improper place for State-aid to go.

Mr. BLASS. Mr. President, I am always in favor of the appropriation of money for scientific research. I think the benefit of scientific research, and the knowledge gained therefrom, is going to be of great aid to private enterprise, because that is the answer.

Mr. WEINER. Mr. President, is the gentleman then telling us that he is in favor of State-aid to private enterprise? If that is the case, then why should he be opposed to the State making any kind of geodetic surveys, or any kind of surveys, that will bring industry into his or other areas of this State?

Mr. BLASS. Mr. President, I can answer that. I am certainly in favor of State-aid to private enterprise. However, I do not intend the State to go ahead and substitute itself for private enterprise and eliminate private enterprise from its proper operation.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. LANE and Mr. DONOLOW, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. HAYS, Mr. President, before I offer my amendments, I am sure that the Dodger fans will be unhappy to know that the score is now 3-1, in favor of Milwaukee.

The PRESIDING OFFICER. We thank the Senator for that most discouraging news.

Mr. HAYS. Mr. President, I now offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption. I would then like to speak on the amendment.

The PRESIDING OFFICER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 9, line 12, by striking out "\$6,337,600" and inserting: "\$6,660,381".

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, as a former farm boy, I must remind Senators Blass and Weiner that the real wealth of Pennsylvania is in the farms of Pennsylvania. Therefore, whenever we slice and cut the budget to direct and improve the lot of the farmer in Pennsylvania, we are not only adversely affecting those who work directly on the farm, but also indirectly affecting every citizen of the Commonwealth.

I rise to defend this amendment to restore in the budget the amount from \$6,337,600 to \$6,660,381. The difference between those figures was deducted by the Senate Appropriations Committee, a total of \$462,250, which just happens to be, I believe, the identical amounts of two programs that it has been necessary for the State Government to take over from the Federal Government in August of this year. It seems like a strange coincidence, perhaps, that the exact deduction from this particular phase of the budget was the amount of these two additional programs.

I urge all of my colleagues to vote for the amendment.

Mr. KROMER. Mr. President, I find on the sheet where the Republican Caucus has increased the Department of Agriculture by \$924,190. I do not see where they find that we have not given them enough money.

I, too, am a farmer, raised with the corn stalks, of course. However, I do not see any place throughout the State of Pennsylvania where the farmers have winced to any extent. I think they have been very well taken care of, I know that the Republican Party has always stood behind them. Again, I say, we have given them that increase and I would like, at this time, to ask my colleagues to vote down this amendment.

Mr. WEINER. Mr. President, I do not understand the increase of which the gentleman speaks. My understanding of an increase is when a bill has been passed by both Houses and is available to be enacted by the Governor and the money provided. The increases you speak of, Senator, I believe, are those that deal primarily with bills that have passed the Senate and which were not requested or asked for by the department in its original amount of money.

If I state this problem incorrectly, I am sure you will correct me. However, you originally cut the budget by approximately three hundred and some thousand dollars on administrative expenses. Then you added fees for veterinarians for certain tests of \$170,000. You also added for maintenance of the calfhood vaccination program in the control and eradication of brucellosis the amount of \$292,250. By the same token, you cut the \$150,000 for emergency projects in connection with hoof and mouth disease, grasshopper control or any other thing that might come up, by half, down to \$75,000.

You gentlemen well know if the money that you pro-

vide is not used, if there is no emergency—and we hope that it is never used in this Commonwealth—it is always returned and lapsed.

You have also cut out the \$50,000 for making grants to agricultural organizations for promotion of Pennsylvania products, which was in both the Democratic and the Republican Platforms. I will say, if you will forgive me for adding a note of politics here, that it was a little bit more specific in our Platform than it was in yours. You have given no money at all for that. There was \$50,000 allocated, and you cut that out completely.

How you have added money to the budget by this type of addition and subtraction escapes me completely. I think this is sort of a form of sophistry when you try to make logical the increases you have made when, actually, you have cut the amount that is due.

Mr. KROMER. Mr. President, we have taken out the marketing of farm products. We realize that. The farmers do not want it. We have taken that out. We realize that. We also have reduced, perhaps, in other places. We feel that we have still given them plenty of money in the Department of Agriculture to carry out the necessary programs, over and above what they had in the last biennium. I can see no reason why, as money is today, we should go above the amount that we have stated in the budget.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Jefferson, Senator Kromer.

The PRESIDING OFFICER. Will the gentleman from Jefferson, Mr. Kromer, permit himself to be interrogated?

Mr. KROMER. I will, Mr. President.

Mr. WEINER. Senator Kromer, would you please advise the Members of the Senate which farmer it was who came and stated to the committee, the Senate, either one of the Houses or to the Governor, if such is the fact, that they did not want any money to promote Pennsylvania agricultural products?

Mr. KROMER. Mr. President, I was not at a meeting where a farmer came by and asked that particular question. However, I have letters here stating that.

Mr. WEINER. Mr. President, will the gentleman please advise us who these letters are from, and what their purpose is in not advertising Pennsylvania agricultural products?

Mr. KROMER. Mr. President, the letters are from the Pennsylvania Farmers Association and many other organizations throughout the State.

Mr. WEINER. Mr. President, did the gentleman contact the people who wrote him these letters? Can he tell us, from his own knowledge, other than these letters which any organization or group might decide to print for purposes best known to themselves, why they did not want Pennsylvania products advertised or at least set up in such a vein that most people across this Nation—not only in the Commonwealth—would know of their existence and the part they play in our economy?

Mr. KROMER. Mr. President, I did not contact anyone after I received, in writing, statements such as I have here.

Mr. WEINER. I want to thank the gentleman, Mr. President.

I would like to point out that it certainly is in bad taste I think, and forgive me for using this term in connection with apples. However, when you go across

Pennsylvania, you find Washington apples and right down in Adams County, I think we have some of the finest apples grown in this country. with little or no recognition being given to that product.

I think Maryland turkeys have become as well known. Washington State apples have also received the same type of commendation because of the money spent in advertising their products. I do not understand why we, as Pennsylvanians, feel that we must hide some of the better points that we can make, and also some of our products that are available to the general public.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Will you tell the Senate how much more has been appropriated to the Department of Agriculture in this bill, including the reductions made by the Senate over the amount appropriated and spent in the 1957-1959 biennium?

Mr. WEINER. Mr. President, the amount requested by the Department of Agriculture was \$6,660,381, that amount being just administrative expenses. This was reduced by the Senate to \$6,337,600. If my arithmetic is somewhat correct, that is a cut of close to \$300,000.

Mr. BERGER. Mr. President, is the gentleman's answer responsive to the question which I gave as to how much money is represented in the figure in this appropriation bill that was appropriated to and spent by the Department of Agriculture in the 1957-1959 biennium?

Mr. WEINER. Mr. President, if I did not answer the gentleman's question correctly, I did not do it deliberately.

In the 1957-1959 biennium, the appropriation was \$7,131,000. I believe that is the correct amount. The Governor, for the 1959-1961 biennium, has recommended \$7,778,381.

Mr. BERGER. Mr. President, to put it more simply, will the gentleman agree that the amount stated in the appropriation to the Department of Agriculture for general purposes—animal industry, food regulation, testing milk sanitation, marketing activities, farm show operations, plant industries, soil conservation and Auditor General's cost—aggregates \$924,190 more than was appropriated and spent by the department in the previous biennium?

Mr. WEINER. Mr. President, before I can answer the question, would the gentleman clarify it for me?

Mr. BERGER. Very simply, Mr. President. I asked how much more was represented in the appropriations to the Department of Agriculture, as stated in House Bill No. 2326, Printer's No. 1704. How much more is made available to the department for all its activities, including marketing activities, farm show, et cetera, than was appropriated and spent by that department in the 1957-1959 biennium?

Mr. WEINER. I would say approximately \$72,000. However, I would like to answer that in this vein: Is the gentleman also including in that the money which was actually cut out, the \$50,000 which was allocated in the original request for promotion of our farm products?

Mr. BERGER. Mr. President, is that the gentleman's answer?

Mr. WEINER. Yes, sir.

Mr. BERGER. I thank the gentleman, Mr. President. And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. HAYS. Mr. President, I offer a second amendment to House Bill No. 2326, and ask for its immediate consideration and adoption.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 10, line 5, by striking out "\$75,000" and inserting: "\$150,000".

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this has been fairly well discussed in the general discussion of the first amendment. However, I just want to point out that it was the judgment of the Secretary of Agriculture that \$150,000 was necessary for an emergency fund, to take care of emergencies in animal diseases and plant diseases which might strike this Commonwealth. This amount has now been cut exactly in half.

I, therefore, urge my colleagues to vote for this amendment.

Mr. WEINER. Mr. President, I just want to make one thing clear regarding the questions and answers posed by Senator Berger and myself.

It is true that \$72,000 has been added over the amount requested in the last biennium. However, in the over-all picture, which was sort of a job that could not be done in the vein which they were hoping for, the actual cut that has been made on the amount requested is over \$300,000. Therefore, I think the record should be clear on that aspect. In the exchange, that may have been lost.

Mr. BERGER. Mr. President, I would not want the record to be at all obscure.

Therefore, Mr. President, I wish to state for the record that the amount of the appropriation, as put into the bill by the Senate Committee, is \$924,190 more than was appropriated to the department in the 1957-1959 biennium.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. HAYS. Mr. President, I offer an amendment to House Bill No. 2326, and ask for its immediate consideration and adoption.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 10, by inserting after line 17: "For making grants to agricultural organizations for promotion of Pennsylvania agricultural products50,000".

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this also has been discussed briefly. This is the proposed marketing promotion program.

I was not a member of the Platform Committee of either of the political parties last fall. However, I believe that representative farmers and farm groups did appear before the Platform Committees of both political parties and urged this kind of a plank in the Party Platforms. I believe such a plank did appear in both Party Platforms.

I urge my colleagues to vote for this amendment.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

The PRESIDING OFFICER. I wonder, at this time, whether the Chair might request one of the more athletically inclined Senators to make a report as to the result or the progress of the baseball game.

Mr. HAYS. Mr. President, the score stands at 3-1.

And the question recurring,

Will the Senate agree to the section?

Mr. HAYS. Mr. President, I might say that this is the final amendment in this series, in case people are getting uneasy. It has to do with the agricultural section.

Mr. President, I offer the following amendment to House Bill No. 2326 and ask for its immediate consideration and adoption.

The PRESIDING OFFICER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 11, line 19, by striking out "30,000" and inserting: "40,000."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, you can see that this is a cut of \$10,000 and has to do with the important barberry eradication program in the Commonwealth. In effect, this cut of \$10,000 will impede this important work in the grain-growing counties much more than it appears on the surface. In addition to the \$10,000 which the Commonwealth provides, I understand county governments provide another \$10,000 and the Federal Government provides about \$20,000. Therefore, you can see that the deletion of this \$10,000 has the net effect of deleting about \$40,000 to a program which, I am sure, men who represent grain-growing counties will admit is an important program.

Mr. President. I urge my colleagues to vote for this amendment.

Mr. BERGER. Mr. President, I might point out to the Members of the Senate on this item that the request in the Governor's budget was only \$30,000 for this program.

Mr. HAYS. Mr. President, would the gentleman please repeat his statement?

Mr. BERGER. Mr. President, my statement was that the request of the Governor, in the budget for this item was only \$30,000, if I am not mistaken.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. MURRAY. Mr. President, I desire to offer an amendment to House Bill No. 2326, and ask for its immediate consideration and adoption.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Section 2, page 23, line 18, by striking out "3,513,229" and inserting: "3,616,935."

On the question,

Will the Senate agree to the amendment?

Mr. MURRAY. Mr. President, this amendment deals with the abandoned coal mine services which amount has been reduced by \$103,706. The use of this fund has been expanded so that it now includes three separate items; namely, the sealing of abandoned coal mines, extinguishing of fires in abandoned coal mines and flushing the mine voids in abandoned coal mines where danger of subsidence may be eminent.

Mr. President and Members of the Senate, just today, several homes have been damaged by subsidence in the city of Wilkes-Barre. A member of the House, from the Seventh Legislative District of Luzerne County, came over to see me this afternoon and met with Senator Flack and myself. This is a very dangerous situation in Luzerne County. It not only applies to my Senatorial District, but it also is a very serious problem in Senator Flack's District.

The Department of Mines and Mineral Industries has requested \$1,203,706 to perform services in the anthracite and bituminous coal regions, under the above-described categories. This is very limited in comparison to the amount which could actually be spent to offer assistance in all areas where abandoned coal mines should be sealed or dewatered.

Mr. President and Member of the Senate, this is a very serious problem. It affects schools, churches and many buildings in the anthracite area. It is more serious there than in the bituminous area. The coal regions are depressed areas and the residents need assistance to prevent their homes from being caved-in by subsidence. Fires from mines undermine homes. Injurious effects from obnoxious gases from banks or mine fires, unemployment caused by flooded mines, and water supplies and streams being polluted by acid mine water are all serious problems. The Department of Mines and Mineral Industries, during the last two years, has advertised all of these projects in newspapers. Sealed bid proposals were received and the contract was then awarded to the lowest responsible bidder. The records in the department prove conclusively that we obtained proper value for each dollar of State funds expended.

Therefore, Mr. President, I strongly recommend for your consideration the approval of this amendment and ask the Members on both sides of the aisle to vote "aye" on it.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator Murray.

The PRESIDING OFFICER. Will the gentleman from Luzerne, Mr. Murray, permit himself to be interrogated?

Mr. MURRAY. I will, Mr. President.

Mr. BERGER. Mr. President, will the gentleman inform the senate of the amount of the increase in the present appropriation bill over the amount appropriated to and spent by the department in the 1957-1959 biennium?

Mr. MURRAY. Mr. President, \$679,522.

Mr. BERGER. I thank the gentleman.

Mr. President, I would like to point out, very briefly, that the remarks of the gentleman as to the necessity of taking care of this mine program in his area and in other

areas of the State is well apparent. I also want to further point out that there is nothing in this appropriation bill that designates any specific sum for that activity, or any other activity in the Department of Mines and Mineral Industries, excepting the grants for research in the department by the Coal Research Board.

Mr. President, there is no reason in the world why this additional amount of money appropriated to the department, of \$679,000 and upward, may not and should not allow the department to conduct a very excellent program to take care of that very, very serious situation in those areas.

Mr. WEINER. Mr. President, I would like to advise the gentleman who just spoke, the Majority Leader, that I have been advised by the head of the department, the Secretary of Mines and Mineral Industries, who was before our Caucus today when we went over these figures, that this cut in the amount that he is asking will mean that he will have to curtail, if not completely wipe out, these activities.

Also regarding these figures that we keep hearing are larger than the last biennium, might I respectfully point out to the gentleman that the reason for them is twofold? No one stands still. Even a business continues to have overhead. Even though there are lapses by these departments, it is because the deficit has been growing. You are now punishing these departments for trying to run their business on a basis where there are no deficits, when they are trying to meet some of the enactments of the Legislature and keep within their budgets at the same time.

We have always heard speeches here that the department heads—and this is true regardless of the Administration that has been in power—always overstep themselves or overreach themselves and, for that reason, we must keep a close eye on them. There is no question in my mind that I wish we could cut down on the amount of money that we are allocating to these different departments. However, that is just not possible. You and I cannot purchase the same services, the same goods, or anything that is equal to the same amount as in the past. All these things go up. The value of the dollar is not what it was. These departments are just as hard hit as we are personally. I think the fact that we are giving them a little bit more than they received last biennium certainly is no indication that they are getting what is adequate to carry out their programs because, perhaps, they may have to undertake other programs which they never envisioned at one time.

Mr. BERGER. Mr. President, I think it is obvious that it was recognized that these departments and their activities should go forward when the committee saw fit to increase the amount of the appropriation by over \$600,000.

Mr. MAHADY. Mr. President, I draw to the attention of the Majority Leader the fact that every department is divided into subdivisions, and in some subdivisions they press each of those subdivisions to save money. At the end of the year, some subdivisions have money left.

I do not know much about figures and I do not pretend to be, shall I say, a magician of figures such as I have heard here this afternoon. Many of the magicians have played with these figures as they would play an

organ. All I know is that these are human beings and human people.

I want to say this to you. One hour before this Session began, one of Senator Flack's Representatives came to the Department of Mines and Mineral Industries and then he came down to talk to several of us here. He said, "Two houses have subsided into the mines. This happened in my District and when there is no money left to take care of them, what can be done? Can you put it into the budget for us?" The answer is that we are trying to do so.

This man is a Republican Representative and we do not look at people as Republicans or Democrats. We look at them for their needs.

I asked for the record as to what this money was used for and they showed me a picture of a schoolyard where a hole existed for children to fall into. I take the record and read from it:

Here is a project in Fayette County. It is a danger to children. They filled in one in Mercer County. They filled one in in Butler County. They filled in another in Fayette County. Here is one in Somerset County. Here is one in Armstrong County. Here is another in Somerset. Here is another in Fayette County. Here is another in Somerset County. Here is one in Cambria County. Here is one in Centre County. Here is one in Westmoreland County, and one in Indiana County. Here is one in Clearfield County. Here is another in Cambria County. Here is one in Washington County. All of these projects were for the protection of children.

Now I say to you Senators who come from the areas where coal mines exist, this appropriation is necessary for the safety of not only the children, but the houses and for the reconstruction that is done and even for the safety of the highways. Where these mines and strip mines are abandoned, they are often adjacent to highways and endanger the life and limbs of those using the highways.

One of the Senators from the other side of the Chamber said the other day that where people are concerned, we should not count the cost. I would draw his attention to this and ask him to vote for this bill.

I would say to you, on the amendments to this bill, that in this specific instance we are not talking about what was not done by one of the other arms of the Department of Mines and Mineral Industries. I say to you that money is necessary for this program. When Jimmie Jump, a Republican Representative, says, "We need money and more money in our District," I will take his word for it. He is not only my colleague but he is a Member of the Republican Party.

I know that you hold caucuses and decide ahead of time how you are going to vote but, for once in your lives, listen to an appeal, vote differently, and vote your conscience.

Mr. WALKER. Mr. President, yesterday I received a telegram from one of the outstanding men in my county, Mr. John Ghizzoni, President of District No. 2, United Mine Workers of America, informing me that the Senate of Pennsylvania took action cutting the appropriation for the Department of Mines and Mineral Industries by \$253,706, which included \$150,000 for coal research and \$103,706 for mine sealing. This is a very important matter to me and I was immediately disturbed, as were several other Senators from our soft coal regions.

We went up to see Mr. Kennedy, for whom I entertain the highest regard and I think he is one of the finest Cabinet Members we have ever had on Capitol Hill. We talked to Mr. Kennedy about this matter and he said that was it. We came down and had quite a round in our Caucus about it. We went over the bill we are discussing now, to which an amendment has been offered. We found that this is not a line budget, setting up so much for this and so much for that, but that it is a lump budget. Furthermore, we found that the \$150,000, allegedly taken from coal research, certainly was not taken by the Senate but by joint action of the House and Senate some months ago when we met with leaders of both houses and discussed the utilization of coal as a road building material. At that meeting, it was agreed that the \$150,000 which they needed for a pilot plant was to come from this fund in the Department of Mines and Mineral Industries.

If any cutting was done, it was not done now or recently. It was cut months ago. However, the argument gets back to this. Coal is one of the important industries in Pennsylvania and in my county of Cambria, it is one of the most important industries. Therefore, I am always quick to comment upon anything which interferes with or prevents the exploitation of this coal with the greatest amount of safety to those wonderful people who go into the pits and produce this valued mineral.

Nevertheless, we have got to be realistic. The fact remains, and we cannot duck out of it, that the appropriation suggested does give the Department of Mines and Mineral Industries \$679,522 more than they were able to spend in the last biennium.

All of these things, of course, are good things. It would be fine if we could give them many more. I believe if we were to remember the \$141,000,000 deficit and if we did not have that to begin with, many things could be done. Many taxes could be relieved. This is a time of austerity. This is a time when we have got to tighten our belts. I do not think anyone is being hurt when they are given over one-half million dollars more than they were able to spend in the biennium just concluded.

I think that it is high time we begin to be realistic in these problems and not be dogmatic. We ought to think of Pennsylvania as a whole. For that reason, my position changed materially when I examined the bill and found that it was not a line budget bill. It is a lump budget bill, brought on, I am told, by an opinion of the Attorney General that the departments in Pennsylvania do not need to follow a line budget. They can transfer these funds from one fund to another. If that is true, then, of course, there is no reason for having a line budget. If you had a line budget, there might be some screaming when you are taking from this or you are taking from that, or there is no taking at all.

The Secretary of Mines and Mineral Industries has over \$600,000 more to operate in the next two years than he had in the last. Certainly, no one can scream when we have that picture presented fairly and truthfully.

Mr. WEINER. Mr. President, I just want to correct this gentleman's misimpression and point out one of the reasons why we have this deficit. In the line of deficits,—or perhaps I should say out of line—this was a lot less than most of the other deficits experienced. The Federal Government experienced a deficit of almost \$12,000,000,000.

in this same year. I would respectfully suggest to this gentleman that if he will study the budget of the previous biennium, he will find that these drastic cuts, which were made here in the same manner these are being made, caused an imbalance of the budget then.

The fact that you are giving X number of dollars more than you did last biennium is saying that you gave nothing the last time and we are now going to give you two cents more than you got before. That sounds all right when you say it real quickly, the way you are saying it, but that is why this imbalance is resulting. However, suppose we took this imbalance and proportioned it into your area, Senator, and some of the other areas. I think you would be a little unhappy with the final result. I think, also, Senator, coming from the area that you do, where some of these problems are really serious, and being partially depressed, this might hurt you more seriously than it would some of the other areas in the State.

This may sound good when you speak at meetings and things of that type, but it is not borne out by the facts.

Mr. WALKER. Mr. President, we are not talking about pennies when we are speaking of these figures. I call to the attention of all Members of the Senate, and those gathered here today, that we have increased the money available to operate the government by \$171,666,801. If that is not a considerable sum of money, I just do not know what it would be.

Mr. MAHADY. Mr. President, I am sorry to disagree with my good friend, Senator Walker, but, unfortunately, I do not think he read this budget or he would know that coal research is a line item, and I am going to amend it next. The amendment under consideration does not take in anything about which he is speaking. We are talking about mine sealing, the putting out of fires and the protection of schools and highways where people's homes have gone into the mines.

Let me say to you that the figure he gave on the amount they increased the budget did not include the twenty-seven and one-half million dollars that he voted for here in this Senate, and which passed this Senate. Add that to it, Senator Walker, and you will have the real figure. If we are going to talk facts, let us talk facts.

The reason we can allay and say this amount was taken out, despite a line budget, is that it equals that program. It is the only place it could come from. I think the secret meetings that were held, not bipartisan or in committee but by yourselves, for weeks, failed to have you say, "We cut it this much for this reason." When I deal with men, I usually say to them, "I did this, and this is the reason I did it." I never got arrogant enough to say, "I did it, you will like it and I will not tell you why." I have never met the arrogance that I have seen here today, where they say, "We cut it and we will not tell you what we cut. We just cut it." Either they are taking it out of thin air or they are afraid to say. If you are men, you will stand up and say, "This is what we cut out of your budget. This is from where we expect to take it."

Mr. WALKER. Mr. President, I assume that my esteemed colleague from Westmoreland County is referring to page 24 of House Bill No. 2326, Printer's No. 1704, which does contain a line of \$525,000.

Mr. MAHADY. I beg your pardon, that is what I intend to increase it to. It is \$375,000.

Mr. WALKER. I thought I had made it crystal clear at the meeting attended by the leaders of both parties in the office of the Majority Leader of the Senate, at which I am sure both parties were amply represented. The discussion was, "What shall we do to help the sick coal industry?" We reasoned together. The Curtiss-Wright people wanted us to give them some money. We would not give money to any individual corporation. We said that we would go along on any worth-while effort to increase the use of coal. In fact, there was a—

The PRESIDING OFFICER. Will the gentleman yield for just a moment, please?

Mr. WALKER. I will, Mr. President.

Mr. MAHADY. Mr. President, the next amendment has to do with research, not this one.

The PRESIDING OFFICER. For what purpose does the gentleman rise?

POINT OF ORDER

Mr. MAHADY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Mahady, will state it.

Mr. MAHADY. Mr. President, the point of order is that the argument is not germane to the question.

The PRESIDING OFFICER. The Chair must agree with the gentleman from Westmoreland that we are not discussing, at the present time, an amendment dealing with coal research, but we are dealing with the other situation.

And the question recurring,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I have listened quite attentively to what the gentleman from Cambria had to say. However, if he will look on page 23 in regard to the Department of Mines and Mineral Industries, the budget provides for the following, and I would like the gentleman to listen to what I say:

"For salaries wages and all necessary expenses for the proper administration of the Department of Mines and Mineral Industries as provided in the acts" and so on and so forth, "and The Administrative Code of 1929 including regulation of bituminous open-pit mining care of injured mine workers abandoned coal mine services anthracite mine drainage administration regulation of gas operations and well drilling and Auditor General's costs", too, if you please.

That budget was cut, and no matter how he talks on this floor, he is voting against the injured coal miner in the bituminous areas of western Pennsylvania. I am surprised that he takes that position, because I, too, come from the coal mining area. I realize the seriousness of this operation. I realize that we must have a very efficient men in charge of the operation of the Department of Mines and Mineral Industries.

As a matter of fact, in our Caucus just yesterday, I fought for and had approved the increase in salaries for mine inspectors. However, I must say that the sponsor of the legislation has repeatedly voted against all of these amendments here today.

This is serious business. This means the lives of men who go down into the bowels of the earth to bring out this bituminous coal. I have seen many, many explosions in my time. I visited them. A few years ago, there was a

terrible explosion in Mather. It was due to the fact that there was not proper inspection.

Not long ago, we had the same thing in Marianna. I would never vote against a cut in the administration of the Department of Mines and Mineral Industries to take care of the lives of those men who go down there and earn their living in the coal mines.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. LANE, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. MAHADY. Mr. President, I rise to present the following agreement to House Bill No. 2326, and ask that it be adopted.

The PRESIDING OFFICER. The Clerk will read the amendment to Section 2.

The amendment was read by the Clerk as follows:

Amend Section 2, page 24, line 3, by striking out "\$375,000" and inserting: "\$525,000."

On the question,

Will the Senate agree to the amendment?

Mr. MAHADY. Mr. President, this amendment affects the matter on which Senator Walker has already talked. This amendment has to do with the line item on the coal research program.

As everyone who is familiar with coal knows, it has seen dark days. Some people have the attitude that coal is a thing of yesterday. There are 5,000,000,000 tons of anthracite coal in the ground in Pennsylvania, and 30,000,000,000 tons of bituminous coal. Let us take it at \$10 per ton. Let us assume the market fell out from under and it went down to \$10. That would give you \$50,000,000,000 of anthracite that you are talking about and \$300,000,000,000 of bituminous.

We are saying to you that the maximum of research must be done in order that this Commonwealth may again grow great. This Commonwealth grew great on coal. It has not fallen to second place, but to third place in the United States. For this coal research program, in order to find other uses for coal and to provide more jobs—yes, even to provide more taxes, which is important—we say to you this amendment on research for coal should be adopted.

If we look over the many types of research that are now going on, we realize there are some twelve of them, where staffs have been assembled, and these staffs are hard to get because they are trained, technical people.

If you decrease these staffs, you have indeed lost something. You cut right into the middle of research that has been done, and all that has been spent before is again lost.

I draw your attention to the fact that Pennsylvania State University, Carnegie Tech, the institute in the east and the institute in the west, are both doing great work. However, without a full complement of the total amount of this money, coal in the future will not be the great asset that it might be. Its future lies in your hands.

Mr. WALKER. Mr. President, I guess we are now back in order and on the beam.

I will repeat what I said before. The original \$525,000 was not cut by the Senate Appropriations Committee or even suggested. It was taken out months ago at a meeting, in which both the Democrats and the Republicans agreed that the money should be used for coal research. It was so applied and the bill passed. It is not a matter of cutting now. The money they had, we agreed, should be used in this fashion for research. I am for research in any fashion. That is why I specifically came in early to attend the meeting. I am vitally interested in finding new uses for coal, as is I believe every other Senator from coal producing areas. Certainly, this is the wrong slant to place on a bill. The bill has \$525,000 less than was previously appropriated for coal research.

Mr. MAHADY. Mr. President, I draw to the gentleman's attention that the \$150,000 bill was another business entirely. That is research for roads. I am talking about research on coal ignitability, the aromatic fractions, the sulfonation, the sulfur reduction, the atomic radiation and the various other coal blendings, and grindability; the anthracite minerology experiment, the ash reduction experiment, the anthracite particle behavior experiment, the anthracite decrepitation and the powdered fuels, which are considered the fuels of the future, and the fuel cells. They say that the by-products of coal are limitless. We think we have many today, but with atomic power and the breaking down of the fuel cells, as we break down an item, this millions and billions of dollars that we have in the ground will become prosperity for our people.

Why should we limit the fact and say to our people, "We are experimenting with roads.?"

As I recall, I voted for that bill. However, If I thought, by voting for that bill, I was cutting off all the rest of the research, I would not have voted for it. I wanted that it addition to what we have already been doing and which must be pursued.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. BERGER. Mr. President, I just have one question to ask of Senator Lane.

Senator Lane, was it your opinion, when you voted and I voted for the bill which appropriated the \$150,000 to the Coal Research Board for the purpose of determining a new use for coal as a road building material, that you were not voting for coal research?

Mr. LANE. Mr. President, we were voting for experimental purposes on the use of a by-product which was already produced by Curtiss-Wright. That is not coal

research. As I define research, it is trying to do something with a product which has not been done before, or something along that particular line. In this particular case, Curtiss-Wright had completed the research. As a matter of fact, it is in operation now down in Kentucky. This was given to the Department of Highways for the purpose of experimenting with the road material. It was not research.

Mr. BERGER. Mr. President, I am sure the gentleman did not mean that the money was appropriated or given to the Department of Highways. I know that he recalls it was specifically appropriated to the Department of Mines and Mineral Industries for use by the Coal Research Board.

Mr. LANE. Mr. President, that was for the Department of Highways.

Mr. BERGER. No.

Mr. LANE. Yes, Mr. President. It was given to the Department of Mines, but—

The PRESIDING OFFICER. Will the gentleman yield for a minute? The Chair recognizes the gentleman from Potter, Senator Berger.

Does the gentleman wish to further interrogate the gentleman from Washington, Mr. Lane?

Mr. BERGER. No, Mr. President. I believe the gentleman has answered my question. I do, however, wish to be recognized after he has completed his answer.

The PRESIDING OFFICER. You may proceed, Senator Berger.

Mr. BERGER. Mr. President, I call attention to the title of House Bill No. 1723, which is as follows:

"An Act

"Making an appropriation to the Department of Mines and Mineral Industries to be used by the Coal Research Board for research and development of a process for the use of coal for road building material and other uses and purposes."

Mr. LANE. Mr. President, I would say a rose is a rose by any name. As a matter of fact, if we needed so much research, then the people in Kentucky would not have already signed a contract. That is quite obvious.

I believe that the cutting of this research budget is going to hamstring the operations of Penn State. As a matter of fact, when we had the budget hearings—and I believe the Members here who attended the hearings will bear me out in what I say—the Secretary of Mines was quite emphatic when he said that they needed this money in order to continue on. If they did not have the money, it would certainly retard the work that has already been done. I might also say that I was just a little critical and said that I wanted to see something tangible. I believe the Secretary of Mines said that in all probability there would be something tangible within the very near future. However, he did not have the facts.

Getting back to Senator Berger's statement, Mr. President, it seems to me that we do not need too much research on a by-product which has already been produced and already in operation in another State.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. MAHADY and Mr. SEYLER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camiel,	Mahady,	Murray,	Seyler,

DiSilvestro,
Donolow,
Hays,
Kalman,

McCreesh,
McGinnis,
McMenamin,
Miller,

Ripp,
Rooney,
Ruth,

Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,

Mallery,
Pechan,
Probert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. BERGER. Mr. President, it has been agreed by the Democratic Minority and the Republican Majority that amendments to this bill under discussion may be offered on Third Reading. Therefore, if the bill passes here on Second Reading and is moved up to Third Reading, it will be in position to be sent over to the House and we may continue this tomorrow.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1746 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 9 of today's Second Reading Calendar, House Bill No. 1746, Printer's No. 1705.

The PRESIDING OFFICER. Is there objection?

Mr. MAHADY. Mr. President, do I understand the same agreement holds as to the other appropriation bills and that amendments may be offered on third reading?

Mr. BERGER. Certainly, Mr. President.

The PRESIDING OFFICER. There being no objection, House Bill No. 1746, Printer's No. 1705, is called up out of order.

APPROPRIATION BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1748 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 9 of today's Second Reading Calendar, Bill No. 1748, Printer's No. 1706.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

APPROPRIATION BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

REMAINING BILLS ON CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that all remaining bills on today's calendar, not previously considered, go over in their order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 494, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the assignment of pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 540, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the revision of territory upon abolition of an independent school district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 717, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 752, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the inclusion of costs of treasurers' bonds and auditing of treasurer's accounts in estimates of costs of educating handicapped children and providing for reimbursements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 759, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and the public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" providing that such authorities shall pay there pro rata share of the expenses of water utilities incurred in providing such services.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing the ratio of supervisors to teachers when the salaries of supervisors are included in budgets subject to approval by the Department of Public Instruction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," limiting the time within which tax assessments may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," permitting applications for admission to be made by certain persons; providing for the contents of physician's certificate; and extending the period of time during which certain persons may be restrained.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 977, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing Boards of Trustees of State Teachers Colleges to enter in contracts for supplies and maintenance of buildings in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1110, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," making it unlawful for manufacturers, importing distributors or distributors to sell malt or brewed beverages at less than cost or at prices established with intent to injure competitors; further defining powers and duties of the board; prescribing penalties and providing procedures.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925, (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof, . . . operation and conduct thereof, by the Department of Welfare; . . .", redefining "boarding houses for infants."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; . . . and prescribing penalties," redefining boarding houses for children.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1168, entitled:

To promote the health safety and welfare of the people of the Commonwealth by broadening the market for lowpriced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization, membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in notes and bonds of the Pennsylvania Housing Agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting associations of firemen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1198, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employes' Retirement Code of 1959," requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1205, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payment to joint boards under certain conditions by the Commonwealth for the acceptance of non-resident pupils and providing for installment payments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1384, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" regulating voluntary admission of minors to institutions and further regulating emergency commitments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1443, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers; conferring powers and imposing duties for the Department of Public Welfare.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1942, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1993, entitled:

An Act amending the act of March 26, 1878 (P. L. 48), entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia, to appoint stenographers as commissioners to administer oaths and take depositions," extending provisions of the act to various courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 of the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), reducing costs or fees imposed upon counties of the second class in cases before salaried magistrates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate; authorizing registration of previous conveyances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

Mr. FLEMING. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 309, entitled:

An Act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employees.

The PRESIDING OFFICER. The report will appear on tomorrow's Calendar.

BILL INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY read in place and presented to the Chair Senate Bill No. 1213, entitled:

An Act regulating the maintenance of public mausoleums, garden crypts and columbaria and prescribing penalties.

Which was committed to the Committee on Rules.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House as follows:

House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of plans for such schools and repealing certain provisions concerning heating and ventilating standards.

Which was committed to the Committee on Rules.

House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the State Employees' Retirement Board; and making an appropriation.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 30, 1959, at 9:00 o'clock, a.m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:45 o'clock, p.m., Eastern Standard Time, until Wednesday, September 30, 1959, at 9:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, September 29, 1959.

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, before Thy throne of mercy we bow in this hour; we are conscious of Thy gracious presence in this session; and we are aware of our need of Thee in all of life's experiences. So, we turn to Thee with the confidence and assurance as seen in the life and person of the Lord, Jesus Christ. We ask Thy living blessings and guidance upon this General Assembly. And we pray that the work which is done may be to Thy honor and glory: in the name and for the sake of the Lord, Jesus Christ. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, September 28, 1959 will be postponed until printed.

The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. LAMB asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House, on behalf of the members of my family and myself I wish to thank the Members of the House, and especially the Allegheny County Democratic delegation, for the very wonderful tribute that was paid to my father, and thank you for the very fine floral tribute sent by the House and also by the Members of the Allegheny County delegation. It was quite wonderful of the Members, and I appreciate it and my family does also.

Thank you very much.

PERMISSION TO ADDRESS HOUSE

Mrs. VARALLO asked and obtained unanimous consent to address the House.

Mr. Speaker, as Chairman of the Columbus Day celebrations for Pennsylvania, to which I was appointed by Governor David L. Lawrence upon his signing of the Proclamation for its observance on October 12, I am working with the National Citizens' Committee for Columbus Day Activities. This committee is composed of United States senators, representatives, governors and important officials in radio, television and press throughout our fifty states.

The objective of the National Citizens' Committee for Columbus Day is to promote year around inter-American friendship projects, to build a massive program of communication between Americans and the citizens of other lands; to establish lasting two-way relationships from which international friendship and understanding grow.

This continent has been an inspiration to the peoples of the world since the discovery of America over 460 years ago. This new world has offered from the beginning an opportunity for all peoples to seek and achieve

a more useful life because our country was founded on the belief that spiritual faith, initiative, courage, and the rights of the individuals are supreme.

During the last fifty years, people have realized that the destiny of the world was in America's hands; that America was composed of men from the mold of Columbus; men who questioned, dared, and dreamed; men who had the courage to translate their dreams into noble action for the benefit of all mankind. With the advance of modern technology moving forward with stunning rapidity, human relations are struggling to keep pace with the times, and the jet age is bringing nations closer together and demanding increased communications between people.

Because there is so much unrest in the world today, especially in the Latin Americas, where our neighbors feel so strongly the surge for freedom, it is my hope that the symbol of Columbus and the theme "Americans All Working Together," may be a significant factor in establishing closer ties between the peoples of the Americas.

May I call your attention to the state-wide Columbus Day observances in Pennsylvania.

The 1958 Columbus Day celebrations were, in my opinion, the most magnificent, collective effort commemorating the discovery of the Americas in the history of the state, if not in the entire nation. The success of the Pennsylvania Committee, which was composed of all mayors throughout the state, was due to the efforts and work put forth by many Italo-American and patriotic societies which have helped to keep alive the name of that great navigator, Christopher Columbus. There were parades, luncheons, dinners, statue unveilings, and other types of ceremonies held across the state. Philadelphia and Pittsburgh had two of the largest celebrations. Philadelphia had a five-hour parade, crowning of Queen of the Day, awarding of scholarships, dinners and other ceremonies. All of these festivities throughout the state were climaxed by an essay contest conducted in over 2,000 public, private and parochial schools. The subject was "What Columbus Day means to Me." More than 5,000 essays were submitted. Judge Alessandrone, Philadelphia, was Chairman of the panel of judges, which consisted of the following other distinguished members: Robert M. Urbani, Trustee of West Chester State Teachers College; Nolan F. Ziegler, Mayor of the city of Harrisburg; Dr. Robert A. Lodge, Department of English, University of Scranton, and Charles N. Caputo, prominent Pittsburgh attorney and assistant city solicitor. Three typewriters were given as awards for the best essays and ten certificates of achievement for the runners-up. Presentation was made by the Honorable George M. Leader, then Governor of Pennsylvania.

Columbus Day has many advantages. It gives us an opportunity we should not miss. It unites people of varying races, religions, and national origins as no declaration of any government or national official can do. It is our common heritage, and in observing it we have a great opportunity to stress and emphasize the many other privileges we share. This realization has prompted thousands throughout the Nation to participate in these Columbus Day ceremonies.

The 1958 Report submitted by me as Chairman of Columbus Day Activities is printed, a copy of which is in the mail boxes of the Members.

I hope you will find this report of interest and an incentive to you to participate in the 1959 Columbus Day Celebrations throughout our Commonwealth.

It has been my honor and privilege to be serving my third term this year of 1959 as State Chairman of Columbus Day Activities.

Mr. Speaker, I request consent of the House to have the Columbus Day Report printed in the Legislative Journal.

The SPEAKER. The report will be spread upon the pages of the Journal.

The following report was submitted for the Journal by Mrs. Varallo.

REPORT OF COLUMBUS DAY CELEBRATIONS IN THE COMMONWEALTH OF PENNSYLVANIA, SUBMITTED BY HONORABLE MARY A. VARALLO, STATE CHAIRMAN BY APPOINTMENT OF THE GOVERNOR, GEORGE M. LEADER, AND DEAN OF THE WOMEN MEMBERS OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES

It was my great privilege to serve, for the second successive time, as State Chairman of Columbus Day Celebrations in Pennsylvania at the request and appointment of His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania. His confidence in my ability to undertake and successfully conduct this program was deeply appreciated and stimulating.

In concert with the National Citizens Committee for Columbus Day, my task was to alert the mayors and burgesses of Pennsylvania communities to the imminence of Columbus Day and to urge the participation of all citizens in commemoration of the discoverer and discovery of the Americas. Governor Leader took the first step by issuing his Proclamation declaring October 12, 1958, as Columbus Day, noting that it was on that day "The Genoese navigator aid sailor, Christopher Columbus, discovered the New World," 466 years ago.

The Governor noted that October 12 has since become a national holiday dedicated to the memory of this brave and determined explorer whose dream led the way to a new world. He gave recognition to the mutual esteem, interest, common hopes and ideals which have bound the nations of the new world together and stated that this was an appropriate occasion for official expression of these sentiments.

The intense interest of Governor Leader in this project, coupled with my own, inspired me to go beyond normal concepts in my efforts. My initial effort resulted in obtaining the cooperation and support of a public relations agency in Philadelphia which, under my direction, immediately placed the program on a high level.

Governor Leader's enthusiastic leadership remained constant in our program and, in addition to placing at our disposal every facility that the Commonwealth could offer, he made himself personally available for participation in every activity. He was particularly effective in personally awarding essay contest prizes (reported in greater detail on following pages) to the winners in his offices. Hundreds of pictures of the events were taken by the press, proud parents and friends.

Subsequently, and immediately, I sent personal letters to the mayors of Pennsylvania in which I asked their fullest cooperation in making Columbus Day in 1958 note-

worthy. Included with the letter was an actual reproduction of the Governor's Proclamation with the suggestion that it be used as a guide in the issuance of local proclamations, and I am delighted to report that this was done in many instances.

In addition, I sent a page of suggestions for the use of mayors and community Columbus Day chairmen by which they could obtain the greatest possible attention from communications media for their local programs. The result was, as demonstrated later, that Columbus Day Celebrations in the Commonwealth received much more press, radio and television coverage than every before.

Among the suggestions were references to placing local Columbus Celebrations on a year-around basis by the launching of "sister-city" projects with cities in Latin America, and by honoring Latin American officials, students and visitors in the community. Where interest along these lines was stimulated I followed through by providing mayors and chairmen with copies of the publications of the National Citizens Committee for Columbus Day, such as "You and Your Latin American Neighbors" and the "Leaders Guide for 1958 Columbus Day Observances."

The response to these efforts was tremendous. I received many replies from mayors and local chairmen advising me of their plans as well as providing me with copies of local Proclamations and evidences of their preliminary public relations approaches.

Almost every newspaper in the Commonwealth carried editorial material on Columbus and the significance of Columbus Day. Much of it was bolstered by beautifully done editorial cartoons. Many periodicals carried special articles on the feats and accomplishments of Columbus. Much time on radio and television was given to mentions of Columbus Day and community plans for its observance.

Perhaps the most personally gratifying aspect of my efforts in this program was the tremendous success of an essay contest which I sponsored and conducted through over 2,000 public, private and parochial high schools in the Commonwealth. With the cooperation of Governor Leader and the Commonwealth's Department of Public Instruction, notices of the contest were sent to the schools. Principals were advised that the best of brief essays from qualified students on the subject, "What Columbus Day Means to Me," would be recognized by awards of type-writers and certificates of commendation.

Publicity notices on the contest were given splendid attention by the Legislative Correspondents Association (State Capitol press corps) and, as a result, almost every newspaper, television and radio station in Pennsylvania reported it. This was only one of the many instances in which the press supported the Columbus Day program and, at this point, I want to express the appreciation of both myself and my committee.

In the interim, while waiting for the return of essay contest entries, I prevailed on a group of distinguished citizens to act as a panel of judges in selecting winners. I was most pleased when my invitations were accepted by the Honorable Eugene V. Alessandrini, president Judge of Common Pleas Court No. 4 in Philadelphia and Grand Venerable of the Pennsylvania Sons of Italy in America, who accepted the chairmanship of the group; the Honorable Charles N. Caputo, attorney and civic leader of Pittsburgh; Robert M. Urbani, educator and trustee of West Chester State Teachers College; Dr. Robert A. Lodge, as-

sistant professor in the Department of English at the University of Scranton; and the Honorable Nolan F. Ziegler, mayor of the City of Harrisburg.

A debt of gratitude is owed to these men. They served this committee well and generously, taking of their valuable time to travel and meet in Harrisburg without compensation. I am glad to report that Governor Leader was fully conscious of their contribution and was host to them at a luncheon at the Harrisburger Hotel on October 13, 1958, at which time he commended them, coupling his expression of appreciation with my own.

The contest resulted in an inundation of our desks with over 5,000 entries, creating a tremendous job of classification and selection. This was overcome to a large degree by the assistance of experts in the Pennsylvania Department of Public Instruction who reduced the entries to an amount that could be managed by the panel of judges.

The judges finally selected 13 winners on, appropriately, October 13, and the first four were awarded typewriters and beautifully engraved certificates. They are:

Margaret E. Monahan, St. Hubert's Catholic Girls School, Philadelphia; Catherine O'Donohue, Notre Dame Academy, Philadelphia; Marie Anne Moxie, Mt. St. Macrina Academy, Uniontown; Sandor Legrady, Bishop Shanahan High School, West Chester.

Other winners were:

Mary Ann Suatoni, Arnold Sr. High School, Arnold; Margaret Martin, Pittsburgh; Mary Helen O'Toole, St. Bernard's School, Bradford; Lorna Ranck, Milton Sr. High School, Milton; Andy Borland, Cowanesque Valley Jr. High School, Westfield; Carolyn Hilsdon, St. Justin High School, Pittsburgh; Frances Pavilaipis, St. Mary's School, McKees Rocks; William Lawn, Altoona Catholic High School, Altoona; Evelyn Hopkins, St. Patrick's High School, Olyphant.

It gives me great pleasure, at this point, to express my profound appreciation to the donors of the typewriters in this program. They are:

The Honorable Eugene V. Alessandrone, who presented a typewriter provided by the Columbus Day Celebration Committee of Philadelphia; Philips Equipment Company, 2nd & Locust Streets, Harrisburg; Olivetti Company of America, 375 Park Avenue, New York.

The publicity generated by the awards was magnificent and added much lustre to the Columbus Day Celebrations in Pennsylvania. Every newspaper wire service and many radio and television stations were on hand at the ceremonies to duly record the events, most of them stimulated by direct requests for coverage by hometown media of the winners.

Governor Leader, with many State and city officials, marched in the Philadelphia Columbus Day parade on October 11th, a distance of about five miles. He also participated in many other activities and exercises too numerous to mention here but which added much to the overall appreciation of the occasion.

Philadelphia and Pittsburgh led the way in the organization of fully planned, highly detailed and well publicized Columbus Day Celebrations.

PHILADELPHIA

Directed by Judge Eugene V. Alessandrone, president, and Nicholas Cipriani, Esq., executive chairman, of The

Columbus Day Committee of Philadelphia, the city's celebration was magnificently planned and perfectly executed.

The schedule of events was as follows:

October 11th: Flag raising at Columbus Square at 9 A.M. Games, sports, other competitions. Placing of wreath at Independence Hall at 11 A.M. Parade, beginning at Noon, with over 10,000 marchers in line, including the Governor of Pennsylvania and the Mayor of Philadelphia, and approximately 75 divisions of String Bands in full regalia, Army, Navy, Air Force, Marine Corps, Police and Fire units, high school bands and marching groups from public, private and parochial schools, other groups too numerous to mention, and thousands of children.

October 12th: Memorial Mass at St. Rita's Church at 10 A.M. Exercises at Benjamin Franklin Memorial Hall at 11 A.M. Exercises at Columbus Monument at 12 Noon. Reception honoring Admiral E. McLean, Jr., with hundreds of guests in attendance at 5:30 P.M. Banquet and coronation of Columbus Day Queen at the Bellevue-Stratford Hotel at 7 P.M. (This was the most heavily attended such function in the history of the Columbus Day Committee in Philadelphia.)

Many other activities were included, including scholarship awards, award of a prize for an essay contest in the Commonwealth schools, and the assignment of many prominent Philadelphia speakers to other communities for participation in Columbus Day Celebrations.

PITTSBURGH

Over 5,000 people crowded into Schenley Park to hear Monsignor Renao Luisi, special envoy from the Vatican, read the words of the late Pope Pius XII, illuminated on a scroll and brought by him from Rome for the dedication of the Christopher Columbus monument. The exercises took place at the base of the \$100,000 statue sculptured by Frank Vittor and erected by the Federation Sons of Columbus.

Speeches by distinguished Pittsburgh citizens, special masses, concerts by famous Pittsburgh bands, parades, luncheons and a heavily attended banquet at the Penn Sheraton Hotel were features of the day.

Following the Schenley Park exercises there was a transatlantic exchange of greetings via telephone and radio between Pittsburgh and Genoa, Italy.

Among those who participated in the extensive Pittsburgh celebration were Mayor David L. Lawrence, newly-elected Governor of Pennsylvania; Supreme Court Justice Michael A. Musmanno; Charles G. Notari, national president of the Federation Sons of Columbus; and Charles N. Caputo, attorney and civic leader.

Among the many communities in Pennsylvania which had organized Columbus Day celebrations were:

ALTOONA

The Christopher Columbus Society concluded a three day celebration with a dinner at the society home. Principal speaker was Eugene J. Ianuzzi, Esq., with Joseph A. Landolfi acting as toastmaster, and the general program being conducted by Angelo R. Palombi.

Nearby Cresson had 200 persons attending a Columbus Day dinner-dance sponsored by St. Ann's Council of the Knights of Columbus. Dr. George W. Katter of Johnstown was the principal speaker.

ALLENTOWN

The Sixth Annual Columbus Day Banquet, entertainment and dance, sponsored by the Allentown Council of Italian-American Organizations was held at the Frolics Ballroom with several hundreds of persons in attendance. Net proceeds of the function are fully applied to scholarship funds. Mayor Donald V. Hock was a feature speaker.

AMBRIDGE

Three hundred citizens attended the community's 6th Annual Columbus Day banquet of District 18, Sons of Italy, and heard Philadelphia attorney James Inannucci make the principal address.

BLAIRSVILLE

Approximately 175 members, their wives and guests of the Blairsville Council 3264, Knights of Columbus, attended the annual Columbus Day dinner in the Italian Athletic Club. Al DeLuca, head coach at St. Vincent College, spoke on the topic, "Molding the Character of American Youth."

BRADFORD

A family communion breakfast sponsored by the Knights of Columbus at their hall in Bradford heard Reverend Frederick Reilly, Chaplain, extol the accomplishments of Columbus.

Nearby Johnsonburg featured a Columbus Day dance sponsored by the Piedmont Lodge 210 of the Sons of Italy.

BROWNSVILLE

Lt. Governor Roy E. Furman was the principal speaker when 350 persons attended a dinner sponsored by 15 lodges of the Sons of Italy, and attended by a host of distinguished guests prominent in civic and political life.

CHESTER

The Trinity Chapter of the Knights of Columbus, comprising councils in the tri-county area (Chester, Montgomery and Delaware Counties) held public evercises and a recitation of the American Living Rosary in the Public Square in Chester, preceded by a special Columbus Day program broadcast by radio station WVCH.

COATESVILLE

John J. Teti, Director of Finance in Coatesville, reported that the Sons of Italy in the Community sponsored a dinner at which he was the principal speaker. Over three hundred persons attended. The Coatesville Knights of Columbus sponsored a dinner-dance which was heavily attended and at which Philadelphia Sheriff, William M. Lennox, spoke.

DUQUESNE

The annual Columbus Day Celebration sponsored by the Pittsburgh Chapter of the Knights of Columbus was marred when its dinner had to be canceled due to a hotel employes strike, but other activities took place and observance of the occasion obtained.

HARRISBURG

Mayor Nolan F. Ziegler reported that dinner-dances were held by both the Sons of Italy and the Knights of

Columbus, with both events being well attended. Radio, television and press coverage of the events were good, the Mayor reported, while many of the city's service clubs observed the occasion by special luncheons.

HAZLETON

Hazleton newspapers noted that the "most spectacular observance of Columbus Day in 25 years" was staged in that city this year. Special masses, parades, various ceremonies, and a widely-attended dinner were part of the program brilliantly directed by chairman Anthony C. Stanziola and given every possible cooperation by Mayor S. Thomas Capparell. Judge Adrian Bonnelly of Philadelphia was the feature speaker at the dinner while Attorney James P. Costello, former mayor of Hazleton, made the major address at Hazleton's Memorial Park where the city's statue of Columbus is located.

Commanding special attention in Pennsylvania is the fact that Hazleton, under the leadership of Chairman Stanziola and enthusiastically supported by his associates, may be the very first city in the Commonwealth to initiate a "sister-city" project. I have been advised by Mr. John T. O'Brien, Executive Chairman of the National Citizens Committee for Columbus Day, that the Pan American Union is working out the arrangements with Mr. Stanziola and the Hazleton Committee.

HOUTZDALE & PHILIPSBURG

The Moshannon Valley Council of the Knights of Columbus attended a banquet at the Hotel Philips to do honor to Columbus on Columbus Day. On the preceding evening a dance was held at the Green Gables Inn with J. A. Redding, Past Supreme Knight of the Knights of Columbus in Pennsylvania delivering an accolade to Columbus.

JEANETTE

Three hundred persons attended the first annual Columbus Day charity dinner of Greensburg Diocesan Chapter, Knights of Columbus, at William Penn Terrace, with proceeds going to the Newman Club at Indiana State Teachers College. Rt. Rev. Msgr. Alphonse G. Mihm was toastmaster.

JIM THORPE

A heavily attended Columbus Day dinner was sponsored by the Panther Valley UNICO at the Hotel Aquila in Lansford. Addresses were made by Rev. A. J. Angelini and Rev. Francis Mealey.

JOHNSTOWN

Directed by Samuel A. Marrocco, the annual Columbus Day banquet was held in the Sons of Italy Hall, with the principal address being given by Representative John P. Saylor. Representative Philip Lopresti acted as Toastmaster for the occasion.

The Knights of Columbus sponsored a mass and communion breakfast in honor of Columbus at St. Clement's Church with Rev. Father Patrick Fleming giving the principal address.

LEECHBURG

Members of the Giovanna D'Arco Lodge No. 1086,

Daughters of Italy, were sponsors of a Columbus Day Dinner at the Old Mansion which was widely attended by many leading citizens of the community. Mrs. Lucy Bono, president of the organization was in charge of the successful affair.

MASONTOWN

More than 300 persons attended the annual Columbus Day Banquet sponsored by the Italo-American Citizens Club. Dr. F. J. Holter was the principal speaker and George A. Franks was the general banquet chairman.

NEW CASTLE

An all-day celebration of Columbus Day was conducted by the Christopher Columbus Society which also marked the 45th anniversary of the club's founding. A high mass, flag raising ceremony and a large parade were features of the day, with Congressmen John H. Dent and Frank Clark as honored guests. Club president Charles L. Dominick was general chairman of the day's events.

NORRISTOWN

Norristown's Lodge Antonio Meucci No. 306, largest unit in the Order Sons of Italy in America, held an open house program and dance for its annual Columbus Day Observance program. Members of the Plymouth Township Knights of Columbus Day Observance program. Members of the Plymouth Township Knights of Columbus and the Ladies Auxiliary of the Council attended a communion breakfast in honor of Columbus.

OSCEOLA MILLS

The 466th Anniversary of the discovery of America by Columbus was commemorated by the Knights of Columbus at a dinner which was attended by almost 200 knights and their wives. John Redding of Osceola Mills was the principal speaker.

PATTON

The Union Press of Patton reported that there were many Columbus Day Celebrations in the Northern Cambria County area. One was a gala event sponsored by the Barnesboro Council, Knights of Columbus, at the Polish Legion Home, with 150 Knights and their ladies reported in attendance.

POTTSTOWN

Children participated in a quiz on the history of Columbus conducted by the Father Bally Council, Knights of Columbus, in the lodge hall, while a Columbus Day dinner-dance was conducted at the Brookside Country Club.

POTTSVILLE

Mayor Michael A. Close reported that a dinner-dance was held at the Necho Allen Hotel under the sponsorship of the Sons of Italy and co-chaired by Charles DiCello and Gaspar Messina. The welcoming address was made by the Mayor and the principal remarks were delivered by the Hon. Vincent J. Dalton, Judge of the Schuylkill County Courts.

In concert with groups, the Sons of Italy in Pottsville spurred the "Wearing of the Purple" on Columbus Day

and is seeking to have Columbus Day proclaimed a national holiday.

PITTSTON

The name of Railroad Street in Pittston was changed to Columbus Avenue, a project of the Pittston Council, Knights of Columbus, by city council and Mayor Patrick O'Brien, at ceremonies attended also by representatives of many Italian societies in the area.

Later, 550 persons attended the 12th annual banquet of the Luzerne County Columbus League at the Mayfair Supper Club, where Judge Frank Pinola acted as toastmaster. Major General Ralph A. Palladino and Congressman Daniel J. Flood were principal speakers.

SHARON

Two hundred persons attended the annual banquet of the 56-year old Christopher Columbus Benevolent Society where Charles N. Caputo, Pittsburgh, delivered the principal address.

Nearby Sharpsville held a largely attended dinner-dance at the Sharpsville Italian Home where Alvin Capozzi, Pittsburgh, delivered the main address.

TITUSVILLE

The Knights of Columbus, in one of the largest gatherings in recent years, attended a communion breakfast in honor of Columbus. Sir Noel J. Poux, Knight of St. Gregory, one of the few Catholic laymen bestowed that honor, delivered the principal address.

UNIONTOWN

Uniontown participated in Fayette County exercises and Columbus Day Dinner which was held at nearby Brownsville, where Lt. Governor Roy E. Furman was the guest of honor and delivered the major address of the day. Over 400 citizens of the several communities attended the dinner.

WILKES-BARRE

Wilkes-Barre citizens groups comprised a large part of the great 12th annual dinner-dance of the Columbus League, & Luzerne County Columbus League held at the Malfair Supper Club, reported in connection with the Pittston activities. There was also a parade in Wilkes-Barre with over 1,000 persons in the line of march, many bands and school groups.

WILLIAMSPORT

Mr. Keith N. Waltz, Mayor H. Levering's appointee as Columbus Day Chairman, reported considerable success in obtaining an organized observance of Columbus Day. Area newspapers and radio stations gave considerable coverage to appeals to display the flag, decorate store windows, and obtain special observance in all the schools. Many of the fraternal groups in Williamsport sent notices to their members on the occasion, asking them to assist in fullest possible observance.

Worthy of special note is the fact that the "entire committee," Mr. Waltz adds, "has agreed to recommend to you that all efforts to observe Columbus Day in 1959 should be started in the Spring of that year in order to give more time for organization and plans."

This, then is my report of Columbus Day Celebrations

in the Commonwealth of Pennsylvania for 1958. It is not as complete as I would wish it because, at the time of writing, there were many reports from cities and towns which had not been received, although I am aware that they had festivities planned.

In my opinion, however, I believe that Columbus Day in Pennsylvania this year was one of the most remarkable demonstrations of good citizenship, community cooperation and civic leadership that we have ever experienced. The honor that was paid Columbus was no greater than the honor attributable to a people from all walks of life who gave recognition to a world hero as their own. The paeans of praise we heard for Columbus this year are a splendid example of awakened civic consciousness, giving promise that future years will bring even greater realization of the accomplishments of the Genoese Explorer and appreciation of his legacy of indomitable courage and vision.

It is my hope that we in Pennsylvania shall continue to stimulate and support Columbus Day Celebrations. The wonderful beginning we have seen during these past two years of Governor George M. Leader's Administration will, I believe, be expanded tremendously by the enlightened leadership of our new Governor, David L. Lawrence.

Mary A. Varallo, State Chairman.

(Addendum)

READING

"We need the faith and courage of the discoverer of America to keep America free," were the inspiring words of Mayor Daniel F. McDevitt before 3,000 celebrants of Columbus Day. Under the leadership of Chairman Natale C. Carbello and co-chairman Charles Cocuzza, the city conducted one of the most well-rounded programs in the Commonwealth. Religious services began a day which included a wreath-laying at the statue of Columbus, a five-section parade, the award of a plaque to Miss Corinne Roth for a winning essay, and concluded with various social affairs. The successful occasion had the complete cooperation of the city's newspapers. It's most intelligently conceived planning was a pleasure to observe.

BUTLER

The Knights of Columbus, Butler Council #866, led by Grand Knight John Lamb, sponsored a communion breakfast for Columbus Day at St. Michaels Greek Catholic Church, the Celebrant being Reverend Father Oleksiw. At the breakfast, toastmaster John O'Brien introduced attorney Robert Stock who spoke compellingly on "Columbus and the Present Day."

SHAMOKIN

Judge William I. Troutman capped a day of celebration sponsored by the city and several groups from nearby communities by declaring Columbus as a man of courage, strength and conviction, "who was not afraid to be called a fool in a cause he thought was right." Victor Cannistra, the Columbus Day Committee chairman, appointed by Mayor Lester W. Weller, reported that his committee had planned the day well and was pleased with the attendance at a banquet in the evening which had several well-informed and interesting speakers. It was the Stella D'Italia Lodge's twenty-fifth annual event, one growing in importance in this coal region community.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titled were publicly read as follows:

HOUSE BILL No. 315.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589) relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture establishing certain fees * * *.

HOUSE BILL No. 1023.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) changing the publication provisions relating to auditors' reports.

HOUSE BILL No. 1528.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L.) No. 32 providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

HOUSE BILL No. 1566.

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court except in counties of the first class and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

HOUSE BILL No. 2216.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair is requesting the gentleman from Erie, Mr. Schaaf, to preside temporarily.

Mr. SCHAAF IN THE CHAIR.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 296.

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" increasing the compensation of jurors.

HOUSE BILL No. 367.

An Act amending the act of July 21, 1941 (P. L. 425)

entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses * * *" increasing the compensation of witnesses.

HOUSE BILL No. 542.

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class.

HOUSE BILL No. 707.

An Act amending the act of January 18, 1952 (P. L. 2159) entitled "An act creating the Pennsylvania Public Safety Commission as a commission * * *" increasing the membership of the commission.

HOUSE BILL No. 832.

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communication made to them in the course of their duties.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 96.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

SENATE BILL No. 277.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

SENATE BILL No. 397.

An Act amending the act of April 18, 1945 (P. L. 253) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

SENATE BILL No. 755.

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1305.

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145) empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DAVIS, VARNER, WILT, DONALDSON, DENNISON and GRAMLICH.

(Concurrent) RESOLUTION No. 117.

In the House of Representatives, September 28, 1959. Pollution in the Clarion River has been a problem for many decades. Since World War II, industrial refuse, especially from the manufacture of paper, has been reduced. However, during this period, acids from open-pit mining have been reported in the upper waters.

All in all, to a considerable degree, the Clarion River remains a polluted stream; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission study and investigate the problem of pollution in the Clarion River with a view of (1) determining whether or not reasonable progress is being made in the direction of total elimination, and (2) outlining any corrective steps deemed essential to maintaining a reasonable rate of progress; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CURWOOD asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, today Adams County stands in the position of being first in three different ways. They are as follows: first, Adams County is first in the alphabet and therefore should always head the list of Pennsylvania's 67 counties; second, Adams County is first in the production of apples for all of the counties in the Commonwealth; and third, Adams County has the first man of the Nation, President Dwight D. Eisenhower as one of its voters and residents.

Mr. Speaker, the first one of these firsts is by reason of the alphabet, and I am giving you, herewith, a sample of the second, Adams County's Red Delicious apples. And for the third first, I am giving you a picture, an explanation of which appears on the back of each picture.

Thank you, Mr. Speaker, for recognizing me at this time.
The SPEAKER pro tempore. On the part of the House the Chair thanks the gentleman from Adams for the apples.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. WARGO asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. FINEMAN from the Committee on State Government, re-reported as amended, House Bill No. 268, entitled:

An Act defining and regulating the conduct and activities of officers and employes of the Commonwealth and first partnerships Associations and corporations in which such persons are members or stockholders forbidding certain situations which may involve a conflict of interest.

Mr. FILO from the Committee on Motor Vehicles, reported as amended, House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," further regulating school bus lighting equipment.

Mr. WILLAREDT from the Committee on Insurance, reported as amended, House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

Mr. GOLDSTEIN from the Committee on Education, reported as amended, House Bill No. 1283, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the payment of salaries of professional and temporary professional employes in cases of sickness accidental injury or death.

Mrs. ANDERSON from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 1703, entitled:

An Act relating to and defining food; in the interest of and providing for the protection of the public health, the prevention of fraud and deception by prohibiting the manufacture, offering for sale, exposing for sale, or having in possession with intent to sell, adulterated, misbranded, or deleterious foods; conferring powers and imposing duties upon State and county officials; and providing penalties.

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

Mr. PRENDERGAST from the Committee on Counties, reported as amended, Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

Mr. CURWOOD from the Committee on Fisheries, reported as amended, Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

Mr. SHERMAN from the Committee on Motor Vehicles, reported as amended, Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

Mr. McKEEVER from the Committee on Labor Relations, reported as amended, House Bill No. 818, entitled:

An Act amending the act of July 25, 1913 (P. L. 1024), entitled "Women's Labor Law," prohibiting the working of women for more than six consecutive days without at least one day of rest.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 298, entitled:

An Act to select and adopt the Beagle as the State dog of the Commonwealth of Pennsylvania.

Mr. EILBERG from the Committee on Judiciary, reported as committed, House Bill No. 1310, entitled:

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), providing that the court shall be open for certain hours.

Mr. FINEMAN from the Committee on Insurance, reported as committed, House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An Act providing the investment of shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds," permitting mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

Mr. McKEEVER from the Committee on Workmen's

Compensation, reported as committed House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to benefits payable to certain alien non-residents.

Mr. BRANCA from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1799, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

Mr. GALLAGHER from the Committee on Workmen's Compensation, reported as committed, House Bill No. 2177, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

Mr. McLAUGHLIN from the Committee on Motor Vehicles, reported as committed, House Bill No. 2299, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating restrictions as to speed.

Mr. GAILEY from the Committee on Education, reported as committed, House Bill No. 2372, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the employment of former members of school boards as teachers.

Mr. FRANK from the Committee on Game and Conservation, reported as committed, House Bill No. 2380, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

Mr. LAMB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining the word "document."

Mr. SCHWARTZ from the Committee on Judiciary, reported as committed, Senate Bill No. 19, entitled:

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" providing for the appointment of special investigators.

Mr. HAMILTON from the Committee on Education, reported as committed, Senate Bill No. 22, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" authorizing payments to joint school boards and joint school committees by the Commonwealth.

Mr. MUSTO from the Committee on Education, reported as committed, Senate Bill No. 53, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" requiring an annual physical examination of school bus drivers and providing for filing a certificate of such examination with the Department of Public Instruction and the local school district.

Mr. LAMB from the Committee on Judiciary, reported as committed, Senate Bill No. 145, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "Real Estate Tax Sale Law" further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales.

Mr. J. P. O'DONNELL, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 146, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" further regulating taxes on the transfer of real property and imposing penalties for the recording of taxed documents without the proper stamps affixed thereto.

Mr. GAILEY from the Committee on Judiciary, reported as committed, Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

Mr. PRICE from the Committee on State Government, reported as committed, Senate Bill No. 202, entitled:

An Act amending the act of May 9, 1949 (P. L. 919), entitled "An Act designating certain clerks of courts of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth * * *" changing the day for rendering certain returns to the Department of Revenue.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 259, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to settlement of small estates on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution of small estates bonds of guardians named in conveyance and powers duties and liabilities of guardians appointed by court.

Mr. HENZEL from the Committee on Education, reported as committed, Senate Bill No. 280, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the

establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

Mr. O'DELL from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

Mr. AGNEW from the Committee on Judiciary, reported as committed, Senate Bill No. 319, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

Mr. GOLDSTEIN from the Committee on Education, reported as committed, Senate Bill No. 382, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the assessing and levying of taxes by all school board members when union districts are first created.

Mr. TAYLOR from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 399, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

Mr. SHERMAN from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 456, entitled:

An Act repealing the act of March 12, 1873 (P. L. 271) entitled "An act to prohibit the keeping of billiard rooms bowling saloons and ten-pin alleys within two miles of the State Normal School at Mansfield in the County of Tioga."

Mr. STONE from the Committee on Judiciary, reported as committed, Senate Bill No. 490, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721) entitled as amended "An act providing for the service of process in civil suits on nonresident operators or nonresident owner of motor vehicle operated within the Commonwealth of Pennsylvania . . ." providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

Mr. T. H. W. JONES from the Committee on Judiciary, reported as committed, Senate Bill No. 499, entitled:

An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 510, entitled:

An Act amending the act of June 7, 1901 (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" permitting the use of rigid polyvinyl chloride pipe and providing for the joining of pipes.

Mr. STONE from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

Mr. AUKER from the Committee on Judiciary, reported as committed, Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

Mr. SCHWARTZ from the Committee on Judiciary, reported as committed Senate Bill No. 661, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" authorizing the relocation of businesses and families and limiting powers of eminent domain.

Mr. SCHWARTZ from the Committee on Judiciary, reported as committed, Senate Bill No. 662, entitled:

An Act amending the act of May 24, 1945 (P. L. 982) entitled as amended "Redevelopment Cooperation Law" redefining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

Mr. SCHWARTZ from the Committee on Insurance, reported as committed, Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

Mr. BRENNINGER from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 839, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" further regulating the use of blue warning lights by volunteer fireman and members of hose companies.

Mr. KAMYK from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties * * *" further regulating the powers of the department of city planning over plats or subdivisions of land.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution

of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

Mr. PURSLEY from the Committee on Insurance, reporter as committed, Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 298 entitled:

An Act to select and adopt the Beagle as the State dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1310 entitled:

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), providing that the court shall be open for certain hours.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1316 entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds," permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1798 entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1799 entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2177 entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2299 entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating restrictions as to speed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2372 entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2380, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish fund for employes of said cities, and regulating the administration and the payment of such pensions," prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining the word "document."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" providing for the appointment of special investigators.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments to joint school boards and joint school committees by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring an annual physical examination of school bus drivers and providing for filing a certificate of such examination with the Department of Public Instruction and the local school district.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "Real Estate Tax Sale Law" further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" further regulating taxes on the transfer of real property and imposing penalties for the recording of taxed documents without the proper stamps affixed thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of

the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 202, entitled:

An Act amending the act of May 9, 1949 (P. L. 919) entitled "An Act designating certain clerks of courts agent of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth * * *" changing the day for rendering certain returns to the Department of Revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to settlement of small estate on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution by guardian of incompetent personal representative or trustee distribution of small estates bonds of guardians named in conveyance and powers duties and liabilities of guardians appointed by court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 319, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 382, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the assessing and levying of taxes by all school board members when union districts are first created.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 399, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 456, entitled

An Act repealing the act of March 12, 1873 (P. L. 271) entitled "An act to prohibit the keeping of billard rooms bowling saloons and ten-pin alleys within two miles of the State Normal School at Mansfield in the county of Tioga."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721) entitled as amended "An act providing for the service of process in civil suits on nonresident operators or non-resident owner of motor vehicles operated within the Commonwealth of Pennsylvania . . ." providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 510, entitled:

An Act amending the act of June 7, 1901 (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class A and third class and imposing fines penalties and forfeiture for violation thereof" permitting the use of rigid polyvinyl chloride pipe and providing for the joining of pipes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 661, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" authorizing the relocation of businesses and families and limiting powers of eminent domain.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 662, entitled:

An Act amending the act of May 24, 1945 (P. L. 982) entitled as amended "Redevelopment Cooperation Law" redefining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 839, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" further regulating the use of blue warning lights by volunteer firemen and members of hose companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties * * *" further regulating the powers of the department of city planning over plats or subdivisions of land.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to inform the Members of the House regarding our timetable schedule here today and our tentative proposed timetable for tomorrow.

We hope to work until approximately 1:30, no later than a quarter to two, and take a forty-five minute break for lunch; no caucuses, come back here and we can finish by approximately 5:00, no later than 5:30 p. m., we believe, with today's work.

Tomorrow, on Wednesday, the House will be in session, but the timetable as to the hours we will not be able to

announce at the present time. The Floor Leaders and the respective Leaders in the Senate informed me, both yesterday and today, that they hope to send to the House tomorrow the General Appropriations Bill and two companion appropriation bills.

We intend to make a move to non-concur in the appropriation bills that will come to the House. Senator Berger, the Floor Leader of the Senate, in our discussions last night and this morning, indicated that it was impossible to determine the time when the bills would arrive in the House tomorrow. The debate may last one hour, two hours, three hours or four hours, but when it is completed they hope to send to the House those bills, so that I ask everyone be here. We will be working on a full calendar and caucus tomorrow, then we may take a recess for a matter of one or two or maybe three hours if necessary and then come back here to complete the work.

I have no way of knowing what time we will do this, except to say that it is hoped that it can be done by mid-afternoon, but there is no assurance that it can be done prior to five or six o'clock, or seven in the evening. So, I ask that all Members please stay here. Tomorrow will be a full working day, a controversial day in which I will make motions to nonconcur in the General Appropriation Bills that the Senate expects to send to the House sometime on Wednesday. With that in mind, Mr. Speaker, we hope that we can break no later than a quarter to two for lunch and finish up here today. To those who are driving home this evening, who drive every evening, tomorrow will be a full day's schedule and we hope that the House will not have to be here Thursday. The Senate is cooperating very kindly in trying to complete the debate by Wednesday night or Wednesday afternoon.

INTERROGATION

Mr. HELM asked and obtained unanimous consent to interrogate Mr. McCANN.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if I heard correctly when he said that the move tomorrow would be to nonconcur in the Appropriation bills that come from the Senate.

Mr. McCANN. I think the gentleman heard very distinctly that I will make a motion to nonconcur in the amendments placed in the bill by the Senate.

Mr. HELM. Is the gentleman presupposing what the Senate is going to do with the Appropriation bill?

Mr. McCANN. They have told me, confidentially, that they are not going to restore all of the money.

Mr. HELM. Mr. Speaker, since we are given advance notice as to what we are going to do, I would like to recommend to the gentleman from Greene, Mr. McCann, if it is to be the motion tomorrow that we nonconcur, that he had better make sure that he has all of his Members in attendance at tomorrow's Session.

Mr. McCANN. I am sure, Mr. Speaker, that our membership is quite aware that the Republicans would certainly support the position of the Senate, and if we nonconcur, they are agreed that they will establish a Conference Committee Wednesday night, and which we would also establish here. The week that we would be in recess the Conference Committee would work every single day, Monday right on through.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1342, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to State Teachers' Colleges; authorizing contracts to lease and leases by Department of Public Instruction from the Authority of any additions or improvements to State Teachers' Colleges and the furnishing and equipment thereof when used or occupied authorizing subleases of such projects and increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor and allocating the proceeds of the increased borrowing.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1413, entitled:

An Act amending the "Credit Union Law" approved May 26, 1933 (P. L. 1076), further regulating requirements for incorporation deposit of funds subjects for investment of funds real and personal property held for purposes of the credit union and membership in such unions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. CLARKE. Mr. Speaker, I move that this bill be recommitted to the Committee on Banking and Building and Loan Associations for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedules of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2348, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for a space for the placing of blood type on operator's license card.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2373, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), making the Capitol Police force an independent administrative agency.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050), authorizing tax collectors to deduct commissions from taxes which he has collected.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2377, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel restaurant and club liquor licenses.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2382, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), changing the provisions which make certain worldly employment unlawful on Sunday.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2393, entitled:

An Act providing for an Office of Administrator for the State Courts and a Judicial Council.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949"

approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law" approved June 23, 1931 (P. L. 899), setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2399, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), increasing penalties for throwing materials from vehicles or tractors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2400, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123), entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the law as to amendments of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of share holders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by Block v Baldwin Locomotive Works 75 D & C 24 and Marks v The Autocar Co 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 374, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth . . ." changing the license year to commence the first day of January each year.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 697, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 698, entitled:

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and election thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof and repealing certain acts and parts of acts relating to railroad corporations.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representatives to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 823, Printer's No 949 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. OGILVIE, NEEDHAM and HOCKER offered the following amendment:

Amend Sec. 1 (Sec. 1411), page 3, lines 17 to 20, by striking out "and for the acquisition of land by pur-" in line 17, and all of lines 18 to 20.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for computation of withdrawal allowances for members of Class E who served on the Supreme or Superior Courts.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provision which makes worldly employment unlawful on Sunday.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. STROUP for the week.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" ap-

proved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

On the question,

Shall the bill pass finally?

Mr. McCANN. This bill at the present time is back in its original form after being amended three times.

This is a bill on which a sub-committee of the State Public School Building Authority composed of the Speaker of this House, the Auditor General of the Commonwealth and two other members, worked, and which they believe will be of great assistance to the school districts which will be constructing schools in the future. This proposed piece of legislation will certainly standardize some of the plans and specifications for the various school districts that will build schools in the future.

Mr. Speaker, I believe this bill carries the unanimous support of all the Members of this House, and I ask that they do support House Bill No. 2173, Printer's No. 1730.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Schaaf,
Balthaser,	Garlock,	McInroy,	Schuster,
Barton,	George,	McKeever,	Schwartz,
Bell,	Gibb,	McLaughlin,	Seltzer,
Boles,	Goldstein,	Machmer,	Sherman,
Bonner,	Goodrich,	Magee,	Shupnik,
Boris,	Gramlich,	Mahan,	Silverman,
Bower,	Guthrie,	Markley,	Snare,
Branca,	Hamilton,	Maxwell,	Snider,
Brenninger,	Heavey,	Meholchick,	Stank,
Breth,	Heffner,	Merry,	Steckel,
Buchanan,	Helm,	Miller, B. Z.,	Stevens,
Burns,	Henzel,	Miller, H. G.,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Clanfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irvls,	Murphy, A. J., Jr.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Davis,	Johnson, R.,	Musto,	Varner,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Dennis,	Jones, T. H. W.,	Needham,	Wall,
Dennison,	Jump,	O'Dell,	Walsh,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wargo,
Donahue,	Kee,	O'Donnell, J. P.,	Weidner,
Donaldson,	Kelser,	Ogilvie,	Wheeler,
Dougherty,	Kernaghan,	O'Neil,	Whittaker,
Down,	Kessler,	Parlante,	Williams, A. D., Jr.,
Edwards,	Kooker,	Pashley,	Williams, E. S.,
Ellberg,	Kornick,	Perry, H. H.,	Willard,
Eshleman,	Korns,	Perry, P. E.,	Willaredt,
Farabaugh,	Kubitsky,	Petrosky,	Wilt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Light,	Pursley,	Yetter,
Foerster,	Limper,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Lutty,	Renwick,	Speaker
Frascella,	McCandless,	Riley,	

NAYS—8

Ashton,	Ewing,	Lippincott,	Odorisio,
Eshback,	Isaacs,	Murphy, P. J.,	Ujobal,

NOT VOTING—22

Agnew,	Gelfand,	Mills,	Scarcelli,
Blair,	Knecht,	Moran,	Strausser,

Bowman,
Brown,
Cooper,

Kovolenko,
Lulgard,
Mihm,

Nelson,
Rigby,
Rudisill,
Sakulsky,

Stroup,
Thompson,
Welsh,
Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer duties on the State Employees' Retirement Board and making an appropriation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Anderson,	Frascella,	McCandless,	Riley,
Arlene,	Fulmer,	McCann,	Rovansek,
Ashton,	Galley,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Sakulsky,
Balthaser,	Garlock,	McInroy,	Schaaf,
Barton,	George,	McKeever,	Schuster,
Bell,	Gibb,	McLaughlin,	Schwartz,
Boles,	Goldstein,	Machmer,	Seltzer,
Bonner,	Goodrich,	Magee,	Sherman,
Boris,	Gramlich,	Mahan,	Shupnik,
Bower,	Guthrie,	Markley,	Silverman,
Branca,	Hamilton,	Maxwell,	Snare,
Brenninger,	Heavey,	Meholchick,	Snider,
Breth,	Heffner,	Merry,	Stank,
Buchanan,	Helm,	Miller, B. Z.,	Steckel,
Burns,	Henzel,	Miller, H. G.,	Stevens,
Capano,	Hocker,	Monroe,	Stewart,
Capitolo,	Holliday,	Muldowney,	Stimmel,
Clanfrani,	Holt,	Mullen,	Stone,
Cioffi,	Horst,	Munley,	Stoner,
Clarke,	Irvls,	Murphy, A. J., Jr.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Ujobal,
Dengler,	Jones, F. R.,	Naugle,	Varallo,
Dennis,	Jones, T. H. W.,	Needham,	Varner,
Dennison,	Jump,	O'Dell,	Verona,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wall,
Donahue,	Kee,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kelser,	Ogilvie,	Wargo,
Dougherty,	Kernaghan,	O'Neil,	Weidner,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Ellberg,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kubitsky,	Petrosky,	Willard,
Fetterolf,	Lamb,	Polaski,	Willaredt,
Filo,	Lee, A. M.,	Polen,	Wilt,
Fineman,	Lee, K. B.,	Prendergast,	Wood,
Floyd,	Leonard,	Price,	Worley,
Flynn,	Light,	Pursley,	Wynd,
Foerster,	Limper,	Reibman,	Yatron,
Fox,	Lippincott,	Reidenbach,	Yetter,
Frank,	Lopresti,	Renwick,	Zimmerman,
	Lutty,		Andrews,
			Speaker

NAYS—0

NOT VOTING—21

Agnew,	Gelfand,	Mills,	Scarcelli,
Blair,	Knecht,	Moran,	Strausser,
Bowman,	Kovolenko,	Nelson,	Stroup,
Brown,	Lulgard,	Rigby,	Thompson,
Cooper,	Mihm,	Rudisill,	Welsh,
			Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMBERS OF LEAGUE OF WOMEN VOTERS WELCOMED

The SPEAKER pro tempore. The Chair at this time welcomes to the Hall of the House a delegation from the League of Women Voters of Newton, Bucks County, who are the guests of the lady from Bucks, Mrs. Kooker, and the gentleman from Bucks, Mr. Williams.

The SPEAKER pro tempore. The Chair at this time returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) in the Chair.

CANDIDATES WELCOMED

We have in the House today two men who are seeking positions in our appellate courts. The one man we have with us part of the time, the gentleman from McKean. He is present today, and we are fortunate in having in the Hall of the House Judge Blair Gunther.

I am sure you would like to have a look at the judge's genial smile, and so we would ask the gentleman from McKean, to escort Judge Gunther to the rostrum to say a word of greeting to this splendid Assembly.

ADDRESS BY JUDGE BLAIR GUNTHER

JUDGE BLAIR GUNTHER. Mr. Andrews, I did not expect this formality.

It is really a pleasant surprise, although I should have been here many months ago to thank you for what you have done not only for me, but for many of our judges in the state of Pennsylvania. You can rest assured that what you did in improving the pensions for the judges will never be forgotten, even if I am on the Supreme Court of Pennsylvania.

I know your time is precious. I know you would like to get away from here, and would especially like to get back home, but I cannot help but say something about my friend because he comes from the same county where I was born, Cambria county. We may have our differences, we have our different views, he is a Democrat and I am a Republican, but we all love Cambria County, and I am sure I wish Mr. Andrews many, many years of fruitful life, happiness and health.

Thank you ever so much.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to make a brief statement. We are approaching, some of us hope, the closing days or months of the Session. It is very important that when committees are called there be quorums present. The Chair had a very disagreeable surprise this morning. A Committee meeting was called off the floor. Why? Because a previous attempt to hold a committee meeting failed to develop a quorum. Believe it or not, the Committee meeting called off the floor did not initially assemble with a quorum, and the Chairman of that Committee, an important committee of this House, had difficulty in securing a quorum.

I want to say to the Members of this House that you

know how at the beginning of the Session the various Members insist upon appointment to this Committee or an appointment to some other Committee, say how interested they are, and once they get their name on the letterhead, sometimes that is the last activity they have as far as serving on a committee is concerned.

The time approaches, if not at this Session, at future sessions, when this Assembly in my opinion must authorize the Chair to drop from active Committees habitual absentees.

CONSULTANT MEMBERS OF COMMITTEE APPOINTED

The SPEAKER. Without objection, the Speaker appoints as consultant members to the committee to evaluate electric roll call equipment and procedure, the Majority Leader, the Minority Leader and the Speaker, consultants at the pleasure of the committee which may or may not at the time desire to call them.

BILLS INTRODUCED AND REFERRED

By Mr. J. P. O'DONNELL HOUSE BILL No. 2406

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor for consumption off the premises in certain cases.

Referred to the Committee on Rules.

By Messrs. TAYLOR, SCHWARTZ and SULLIVAN HOUSE BILL No. 2407

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and fixing the salaries of certain officers and employees in the Department of Labor and Industry.

Referred to the Committee on Rules.

By Messrs. DAVIS, ROVANSEK, FARABAUGH and LOPRESTI HOUSE BILL No. 2408

An Act amending the act of September 23, 1959 (Act No. 381), entitled "An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties," further regulating the height of fences around premises used for raising mink.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 10

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

Referred to the Committee on Rules.

SENATE BILL No. 290

An Act requiring the approval by the governing bodies of political subdivisions of projects plans rates and charges of Authorities by such political subdivisions.

Referred to the Committee on Rules.

SENATE BILL No. 777

An Act amending the act of April 14, 1834 (P. L. 333) entitled "An act relative to the organization of the Courts of Justice" requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

Referred to the Committee on Rules.

SENATE BILL No. 925

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

Referred to the Committee on Rules.

SENATE BILL No. 1001

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

Referred to the Committee on Rules.

SENATE BILL No. 1015

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

Referred to the Committee on Rules.

SENATE BILL No. 1047

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 296

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" increasing the compensation of jurors.

HOUSE BILL No. 367

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses * * *" increasing the compensation of witnesses.

HOUSE BILL No. 542

An Act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in Counties of the first class.

HOUSE BILL No. 707

An Act amending the act of January 18, 1952 (P. L. 2159) entitled "An act creating the Pennsylvania Public Safety Commission as a commission * * *" increasing the membership of the commission.

HOUSE BILL No. 832

An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties.

HOUSE BILL No. 1305

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145) empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, I request a recess of 45 minutes for lunch. We will start right after lunch on Senate Bill 375.

RECESS

The SPEAKER. Without objection, the Chair declares a recess of forty-five minutes.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

PERMISSION GRANTED COMMITTEE
TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MIHM for today and tomorrow because of illness.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

On the question,

Shall the bill pass finally?

Mr. SHERMAN. Mr. Speaker, may I interrogate the gentleman from Cameron, Mr. Tompkins?

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, I am referring to the last amendment put in, and I presume it was put in by Mr. Tompkins. Am I correct?

Mr. TOMPKINS. Yes, I inserted that amendment.

Mr. SHERMAN. On page 3, line 11, has the gentleman read it within the last hour or two?

Mr. TOMPKINS. Yes, I have it before me.

Mr. SHERMAN. Now would you explain the meaning

of that term "all construction industrial and mining machinery and equipment"?

Mr. TOMPKINS. Yes.

Mr. SHERMAN. Will you explain to me the meaning of that amendment?

Mr. TOMPKINS. That amendment is for the purpose of exempting from your distress warrants machinery and equipment of that nature.

Mr. SHERMAN. Let us take the words, Mr. Speaker, "all construction". Does it include an extra room constructed on the property?

Mr. TOMPKINS. I did not get that, I am sorry.

Mr. SHERMAN. Let us consider the first few words of that amendment "all construction". Does that not necessarily include a room constructed, an additional room?

Mr. TOMPKINS. Oh, I believe you are distorting this by not taking the entire clause in because it does not refer to construction, but to construction machinery and equipment.

Mr. SHERMAN. "All construction machinery"; does that refer to any machinery, no matter how attached to the real estate?

Mr. TOMPKINS. It is not intended to apply to anything that is attached to a part of the realty, no.

Mr. SHERMAN. Does the gentleman not believe that it should be limited to refer only to personal property which is not constructed or put on in such a way as to be attached to the realty?

Mr. TOMPKINS. Well, I do not see any difference between the interpretation you are trying to put on this and what you are putting on restaurant bar furniture and equipment. Some of that equipment could be attached to the realty. Meat market equipment could be attached to the realty, as well as the construction equipment. If you want to carry that interpretation into this particular clause we can go back and re-amend the whole thing to conform.

Mr. SHERMAN. Mr. Speaker, I would not object to the man's interpretation if he had stated all construction machinery and all construction equipment, referring specifically to equipment. Here you are eliminating the word "equipment" and you are just using the word "machinery." Equipment is referred to subsequently in your amendment, am I not correct?

Mr. TOMPKINS. We use the words "machinery" and "equipment" here, yes.

Mr. SHERMAN. But equipment is referred to as a separate category. Here you are using all construction, industrial and mining machinery and equipment?

Mr. TOMPKINS. Machinery and equipment, construction machinery and equipment, yes, sir.

Mr. SHERMAN. Therefore you can take separately all construction machinery, and no matter how it is constructed, as far as the real estate is concerned, it can be removed by the party who places that construction machinery on the premises?

Mr. TOMPKINS. Yes, the same as the equipment could. I do not see any relation between the two, machinery or equipment. Either one of them might be attached to the realty if you really want to carry it that far.

Mr. SHERMAN. Mr. Speaker, do you not consider equipment more in the nature of personal property, and machinery, especially of an industrial nature to be so attached to the realty, as part of the real estate at times?

Mr. TOMPKINS. Well, if the gentleman wants to press that point, which I think is distorting the situation, I will certainly be glad to further amend it to make it "construction machinery and equipment not attached to the realty," because that is the thing we are trying to accomplish.

Mr. SHERMAN. I would appreciate an amendment of that kind.

Mr. TOMPKINS. All right, I will do that.

Mr. SHERMAN. Thank you.

Mr. McCANN. Mr. Speaker, did I understand the gentleman from Cameron, Mr. Tompkins, is going to further amend the bill?

Mr. TOMPKINS. Mr. Speaker, may I further interrogate the gentleman from Philadelphia. Mr. Sherman?

The SPEAKER. The gentlemen from Cameron will proceed.

Mr. TOMPKINS. Mr. Speaker, going to page 2 of the bill, line 5, it says "the following personal property loaned to or leased or hired by any person, or conditionally sold to any such person under a contract of sale, reserving title in the vendor until paid for shall be exempt from levy or distress." Does that not sufficiently cover the gentleman's objection?

Mr. SHERMAN. No, Mr. Speaker. I read those lines, but I felt that when you are referring to construction machinery or any other equipment, it refers more or less to things of a realty nature rather than personal property.

MR. HELM IN THE CHAIR

Mr. SHERMAN. I also felt that your amendment which you want to refer to personal property, could by its nature be classified as real estate, and that no matter how you attach it to the real estate, you could always remove it no matter what damage was caused thereby. For that reason I thought some clarity was necessary.

Mr. TOMPKINS. Mr. Speaker, it has always been my understanding as an attorney that personalty referred to personal property which was not a part of the real estate, and that realty referred to real estate. Now we specifically said that this refers only to personalty, and how we can stretch the definitions of personalty into a definition of realty is just beyond me.

Mr. SHERMAN. I presume the gentleman is through with the interrogation, Mr. Speaker.

Mr. TOMPKINS. The title must remain in the original owner until paid for, therefor, it cannot be a part of the realty.

The SPEAKER pro tempore. Are the gentlemen through with their interrogation?

Mr. SHERMAN. Mr. Speaker, I didn't know if Mr. Tompkins was asking me a question or making a brief statement.

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. Sherman, desire to be recognized?

Mr. SHERMAN. Yes, Mr. Speaker, very briefly.

Mr. Speaker, unless this amendment is clarified, I feel that a general statement "the following personal property" does not make all construction machinery or industrial or mining machinery personal property, and there should be some clarity indicating, in the event of real damage to the real estate to which this personal property is attached, as to what should happen in those cases; not that there should be thousands of dollars damage to real es-

tate and then this heavy machinery, which no doubt can be very heavy, removed even though it may be considered in a good many cases real estate and not personal property.

Mr. TOMPKINS. If the gentleman wants it clarified by writing in to this amendment, even though it says, permanently, we will do that. We will also write it into the bar equipment and the meat market equipment so that there will not be any misunderstanding as to whether or not it is attached to the real estate.

I therefore ask the bill to go over for those amendments.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, I wish to call the attention of the Members of the House to the particular bill that is now before us because I think it has, perhaps, an impact which may not easily be seen at first.

This is a bill affecting the amount of money which banks may lend on an installment basis. Most of us think that when you go to a bank to borrow money that you pay six percent interest, that is all the law allows. Well that is not the case. The present law allows a borrower on an installment plan, from a bank, allows the bank to charge six dollars per hundred, collected in advance. Not interest paid out over the year, that is collected in advance, and what that amounts to in effect, is twelve percent on the money that you borrow.

Now, what does this bill do? Presently the law allows the borrower to borrow up to a maximum of \$3,500. This bill increases the amount which a borrower may borrow under the installment plan to \$5,000. Last week we had a bill on this calendar raising interest rates on small loans. I think quite a bit of furor was raised in the House because of it. I suggest to the Members of this House that this bill which we have before us now is equally as injurious to the people who have to borrow money from our banking institutions.

What is the reason for allowing a bank to charge interest at a greater rate than six percent? Why should they be allowed to charge twelve? Well, the answer is, obviously, that on this kind of a loan they figure they are running a greater risk, that is why they are allowed to charge a greater rate of interest. Let us look at this bill a little bit. If they are going to raise it from \$3,500 to \$5,000, one would assume that they have to run greater risks that it would be all right to allow them to charge twelve percent on \$5,000, just as well as twelve per cent on \$3,500, but, and here is where the hitch comes in in this bill you may only borrow \$5,000, more than \$3,500 under three specific

cases. First, where real property is to be improved, second, where a motor vehicle or vehicles is to be acquired; or third, for the acquisition of equipment where the sales value of such equipment is in excess of \$1,500. Why do they have to be worth at least \$1,500? Well that is obviously to bring the unsecured part of the loan down to the \$3,500 which you were able to borrow before. In each of these cases the bank has security. If real estate is to be improved they obviously have the security of filing a lien against the real estate. If a motor vehicle is to be purchased they can lien the title. If equipment is to be purchased they can secure it by some sort of security agreement. So that in each of these cases where the amount borrowed is over \$3,500, is between \$3,500 and \$5,000, the bank has its security to secure it at least to the extent of \$1,500. If that is the case I suggest to you that the original reason for allowing the banks to charge twelve percent, in other words the risk they are running, the original reason vanishes. This bill allows banks to charge a full twelve percent of interest on \$1,500 worth of money which is fully secured to the bank by virtue of some property which the borrower owns. Under the present circumstances there is nothing whatsoever to prevent a bank from lending someone \$5,000. They can lend \$3,500 at twelve percent and they can lend the remaining \$1,500 at six percent as the law now allows.

I suggest to you that this bill is just as unconscionable and is just as much a raid on the pocketbook of the people who have to borrow as the small loan bill which the House, so properly, saw fit to amend last week. I ask all the Members on both sides of the aisle to vote against this injurious legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

Agnew,	Gibb,	Light,	Seltzer,
Ashton,	Goldstein	Lippincott,	Stank,
Auker,	Goodrich,	Lopresti,	Steckel,
Bell,	Gramlich,	McCandless,	Stevens,
Blair,	Guthrie,	McCann,	Stewart,
Bower,	Hamilton,	McInroy,	Stimmel,
Bowman,	Heffner,	Magee,	Stone,
Brenninger,	Helm,	Mahan,	Stoner,
Buchanan,	Henzel,	Markley,	Tompkins,
Clarke	Hocker,	Maxwell,	Ujobal,
Davis,	Holliday,	Merry,	Varnar,
Dengler,	Horst,	Miller, B. Z.,	Wall,
Dennison,	Isaacs,	Miller, H. G.,	Weidner,
Donahue,	Johnson, R.,	Mills,	Wescott,
Donaldson,	Kee,	Murphy, P. J.,	Whittaker,
Down,	Kelser,	Murray, H. P.,	Williams, A. D., Jr.,
Edwards,	Kernaghan,	Murray, P. G.,	Williams, E. S.,
Eshback,	Kessler,	Naugle,	Willard,
Eshleman,	Knecht,	O'Dell,	Willaredt,
Ewing,	Kooker,	Odorisio,	Wilt,
Fetterolf,	Korns,	Ogilvie,	Wood,
Fox,	Lamb,	Polen,	Worley,
Fulmer,	Lee, A. M.,	Price,	Zimmerman,
George,	Lee, K. B.,	Pursley,	

NAYS—93

Anderson,	Flynn,	McLaughlin,	Reidenbach,
Arlene,	Foerster,	Machmer,	Renwick,
Balthaser,	Frank,	Meholchick,	Riley,
Barton,	Frascella,	Monroe,	Rovansek,
Boles,	Galley,	Muldowney,	Sakulsky,
Bonner,	Gallagher,	Mullen,	Schaa,
Branca,	Garlock,	Munley,	Schuster,
Breth,	Gelfand,	Murphy, A. J., Jr.	Schwartz,
Burns,	Heavey,	Murray, J. J.,	Sherman,
Capano,	Holt,	Musto,	Shupnik,

Capitolo, Cianfrani, Cioffi, Comer, Crossin, Curwood, Dennis, Devlin, Dougherty, Eilberg, Farabaugh, Filo, Fineman, Floyd,	Irlis, Jenkins, Jim, Jones, F. R., Jump, Kamyk, Kornick, Kubitsky, Leonard, Limper, Lutty, McCormack, McDonald, McKeever,	Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Prendergast, Reibman,	Silverman, Snider, Taylor, Trusilo, Varallo, Verona, Walsh, Wargo, Wheeler, Yatron, Yetter,
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Filo, Fineman, Floyd, Flynn, Foerster,	Lee, K. B., Leonard, Light, Limper, Lippincott,	Petrosky, Polaski, Polen, Prendergast, Price,	Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—2

Williams, A.D., Jr., Worley,

NOT VOTING—19

Boris, Brown, Cooper, Johnson, A. W., Jones, T. H. W.,	Kovolenko, Luigard, Mihm, Moran, Rigby,	Royer, Rudisill, Scarcelli, Snare, Strausser,	Stroup, Sullivan, Thompson, Welsh, Wynd,
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Boris, Brown, Cooper, Johnson, A. W., Jones, T. H. W.,	Kovolenko, Luigard, Mihm, Moran, Rigby,	Royer, Rudisill, Scarcelli, Strausser, Stroup,	Sullivan, Thompson, Welsh, Wynd,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,
The House proceeded to the consideration on final passage of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf,	Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korna, Kubitsky, Lamb, Lee, A. M.,	Lopresti, Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E.,	Pursley, Reibman, Reidenbach, Renwick, Rovanssek, Riley, Sakulsky, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Taylor, Tompkins, Trusilo, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, E. S., Willard, Willaredt, Wilt, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REASON FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on Senate Bill No. 868:

I opposed this bill in the original form which would have increased the interest on the last \$500 of an \$800 loan from 12 per cent to 18 per cent per year. Although this provision has been amended out of the bill, I fear that when a Conference Committee concludes its deliberations we will find that rates have been increased. This I oppose and for that reason I believe it to be the better course of action to vote against this bill.

Rather than raising the interest rates I would like to see the 36 per cent presently allowed on the small, under \$150 loans reduced.

The customers of these lenders are those least able to pay, those least able to calculate the actual interest being paid. If the Legislature does not protect their rights no one will.

I salute the small loan companies for pioneering this field which our banking institutions were slow to enter, but now that the banks make similar loans at 11.5 per cent it would seem that these small loan companies should be reducing their rates to compete rather than pushing for an increase in rates.

This is not a dying industry in need of subsidy. New small loan companies and branch offices are opening in many of our communities. I see no reason for this legislation and many reasons to oppose it.

In my county many steelworkers are borrowing from these companies and have trouble enough with the present rate of interest. Far too many people do not understand the true rate of interest they are paying and would be amazed to know that the actual interest rate is 22 per cent to 24 per cent on most loans.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. McCANN.
The House resumed the consideration on final passage of House Bill No. 1376, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of for-

estry conservation camps * * * and for the rehabilitation and training of male youth * * * authorizing the acceptance and return of certain juveniles as campers and providing for the imbursement by the county for expenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Agnew,	Flynn,	Lutty,	Price,
Anderson,	Foerster,	McCann,	Reibman,
Arlene,	Frank,	McCormack,	Reidenbach,
Auker,	Frascella,	McDonald,	Renwick,
Balthaser,	Galley,	McInroy,	Riley,
Bell,	Gallagher,	McKeever,	Rovansek,
Blair,	Garlock,	McLaughlin,	Sakulsky,
Boles,	Gelfand,	Machmer,	Schaaf,
Bonner,	Gibb,	Mahan,	Schuster,
Bower,	Goldstein,	Markley,	Schwartz,
Branca,	Goodrich,	Maxwell,	Sherman,
Brenninger,	Guthrie,	Meholchick,	Shupnik,
Breth,	Hamilton,	Miller, B. Z.,	Silverman,
Buchanan,	Heavey,	Mills,	Snare,
Burns,	Helm,	Monroe,	Snider,
Capano,	Henzel,	Muldowney,	Stank,
Capitolo,	Holt,	Mullen,	Steckel,
Cianfrani,	Irviss,	Munley,	Stevens,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Stewart,
Clarke,	Jenkins,	Murphy, P. J.,	Stimmel,
Comer,	Jim,	Murray, J. J.,	Stone,
Crossin,	Johnson, R.,	Musto,	Taylor,
Curwood,	Jones, F. R.,	Naugle,	Trusilo,
Dengler,	Jump,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Devlin,	Kee,	O'Donnell, J. A.,	Verona,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kessler,	Odorisio,	Wargo,
Dougherty,	Knecht,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Kubitsky,	Pashley,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willaredt,
Fetterolf,	Leonard,	Petrosky,	Wilt,
Filo,	Limper,	Polaski,	Yatron,
Flineman,	Lippincott,	Polen,	Yetter,
Floyd,	Lopresti,	Prendergast,	Andrews,

Speaker

NAYS—42

Ashton,	George,	Light,	Seltzer,
Barton,	Gramlich,	McCandless,	Stoner,
Bowman,	Heffner,	Magee,	Tompkins,
Davis,	Hocker,	Merry,	Ujobal,
Dennison,	Holliday,	Miller, H. G.,	Wall,
Down,	Horst,	Murray, H. P.,	Weidner,
Eshback,	Keiser,	Murray, P. G.,	Whittaker,
Eshleman,	Kooker,	O'Dell,	Willard,
Fox,	Korns,	Ogilvie,	Wood,
Fulmer,	Lee, K. B.,	Pursley,	Worley,
		Royer,	Zimmerman,

NOT VOTING—18

Boris,	Kovolenko,	Rudisill,	Sullivan,
Brown,	Luigard,	Scarcelll,	Thompson,
Cooper,	Mihm,	Strausser,	Welsh,
Johnson, A. W.,	Moran,	Stroup,	Wynd,
Jones, T. H. W.,	Rigby,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1702, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto * * *.

On the question,

Shall the bill pass finally?

Mr. COMER. I rise to ask the support of this House for House Bill 1702.

This bill, as you remember, was under consideration by the House last week, and at that time, the gentleman from Armstrong, Mr. Helm, pinpointed seven or eight sections of this new State Highway Code and raised certain doubts as to the desirability of certain provisions contained therein.

I need not call to your attention the fact how difficult it is to defend so broad and all-encompassing a bill when it is attacked profusely on seven or eight specific points.

There are certain points, however, that the gentleman from Armstrong raised, and there was not sufficient time and reflection to answer them fully. Therefore, I intend to cover very briefly some of the points the gentleman from Armstrong queried me on last Wednesday.

First, Section 404, on page 23. Under Section 404, the "Secretary has exclusive authority and jurisdiction as imposed or conferred by this act over all the facilities of the State Highway System."

The gentleman from Armstrong asked how this would affect the present powers of the Department of Forests and Waters as to highways that exist in state forests and parks today.

The answer to that question, is that this section would have no effect on the powers of Forests and Waters as related to highways that exist in state forests and parks.

Another Section was Section 301 on page 20. It defines the word "highway" to mean all state highways or roads. Any roads in state forests and parks not under the jurisdiction of the State Highway Department are "roads" and are not part of the State Highway System. Since Section 404 merely gives the Secretary jurisdiction over highways, meaning state roads, there is no infringement on the powers of Forests and Waters. Only those roads which are state highways come under the control of the State Highway Department and those roads maintained by Forests and Waters would remain under the Department of Forests and Waters.

Secondly, the gentleman from Armstrong queried as to what became of the power of the Public Utility Commission with regard to highway railroad crossings.

I answer this question by saying they would remain with the Public Utility Commission. The Secretary of Highways is given exclusive jurisdiction over highways as conferred by this act. There is nothing in this new Highway Code which takes away the power of the Public Utility Commission or which in any way interferes with the powers of the Public Utility Commission. In other words, there is no positive law in this entire act that infringes on the Public Utility Commission's jurisdiction.

Section 806. The gentleman from Armstrong raised the question in the case of a farmer who would be injured by the provisions of Section 806 requiring that damages be paid only where physical entry is made in condemnation cases. This is merely a codification of existing case law in Pennsylvania. The courts of Pennsylvania have

unanimously held that unless there is physical entry there is no taking and consequently there can be no payment of damages.

There is, however, a very important reason why the courts have uniformly adopted this rule and why it is set forth in Section 806 and that is, occasionally after a road has been plotted and the Governor has signed the plan of condemnation, many factors such as soil conditions, grade conditions, drainage conditions and other factors cause a change in the original plan. In other words the road engineers discover these new factors and the originally planned route has to be altered because of the physical terrain. Therefore, the Highway Department has to retain some flexibility in the actual construction of roads. May I add that the likelihood of an individual being injured in the manner in which the gentleman from Armstrong has indicated would be extremely rare.

The gentleman from Armstrong raised a further question with regard to Section 863 which provides for partial payment up to 75 percent of the lowest appraisal. The gentleman from Armstrong objected to the fact that the Secretary may pay this amount. The reason that this word "may" was placed in this section was that very frequently there is a diversity of interests with regard to the title of the property being condemned. For example, there may be a freehold interest or a leasehold interest in the property being condemned. If the Secretary were required to pay 75 percent to the property owner, it would be impossible for the Department to determine the proper proportion to the various interested parties. Another reason is that detention damages begin to run from the time the Governor signs the plan and it is to the best interest of the Department to pay this 75 percent as soon as they can or else they will be paying detention charges.

Section 1003. Mr. Helm raised a question in regard to this section which provides for prequalification of bidders. The words the gentleman objected to were that the Secretary would not be limited to the five factors enumerated in the act. This is a necessary catch-all phrase in Section 1003. The Secretary, by those words, may eliminate a bidder from consideration for a just cause or reason. If the Secretary would attempt to disqualify a bidder for an unreasonable cause the bidder would, of course, have the remedy of bringing an action of mandamus against the Secretary.

I am sure the gentleman from Armstrong is well aware that the actions of a public official may be tested in our courts by actions of mandamus and equity procedure. There can be little doubt, therefore, that the bidder would have compensable remedy in cases of this nature and could, in fact, enjoin the Secretary from commencing any construction until the particular question was resolved.

One other Section. The weight of the gentleman's from Armstrong attack on this new Highway Code seems to be placed on the Public Utility Section. With regard to Section 1502, which provides that the Secretary issue permits, the gentleman from Armstrong once again raised the question that the Secretary could control the placing of public utility facilities on state highways.

Once again I will stress the fact that the Secretary of Highways cannot act without just cause or reason since he would immediately subject himself to an action of mandamus or an equity action. In other words, any ac-

tion of the Secretary could be prevented by these proceedings.

The reason for making utility companies obtain permits for placing their facilities in, on, over or under state highways is the safety factor. The Secretary of Highways must have the power to protect the state highway system from being barricaded or made dangerous by the construction or servicing of utility facilities located on our state highways. There can be no question that they are dangerous enough as they are, without the creation of new hazards, by closing off lanes and causing traffic congestion.

The Secretary must know what roads are being serviced so that traffic may be rerouted. If the utility companies could merely put up barricades and start work on state highways our entire system would be jeopardized and the lives of our citizens would be gravely endangered. This is a reasonable regulation for the sole purpose of protecting the citizens of Pennsylvania. After all, the ones who pay the taxes to support these roads are our motorists and not the utilities. Public utility companies may obtain the necessary permits and can construct and service their facilities. By the very nature of the modern concept of highways high speed traffic should not be impeded. These permit provisions give the Secretary some control over the protection of our state highway system. This policy of requiring permits is not solely a concept of the Pennsylvania Highway Department; it is strongly recommended by the American Association of State Highway Officials and the Bureau of Public Roads. The primary purpose of these provisions regarding permits is to insure public safety of the traveling public.

The gentleman from Armstrong raised a point concerning a telephone wire being placed across the state highway where the poles were not within the highway right of way. Of course, the provisions in our new Highway Code covering this is a recodification of the provisions found in the Highway Code that we abide by today, of 1945.

But I would call your attention to the fact that no permit is required in cases of this nature and no permit has been required since 1934 when the Department of Justice in an informal opinion, No. 478, dated October 27, 1934, ruled that no permit would be necessary in cases of that nature. This opinion of the Attorney General is still in full force and effect and no permit would be needed today for an aerial crossing as proposed by the gentleman from Armstrong.

One other Section, Mr. Speaker, Section 1901. The gentleman from Armstrong questioned Section 1901 which has assents to Federal-aid and to the Act of Congress of July 11, 1916, and all its amendments. The gentleman's question was, would Pennsylvania then be bound to the advertising restrictions contained in the Federal Act. The answer to this question is, of course, no. Section 1901 is designed to cover the Commonwealth's assent for acts pertaining to construction agreements where the Federal Government pays 50 percent for primary, secondary or urban roads and 90 percent on interstate highways. This gives the Highway Department a basis for entering into agreements.

The mere fact that the Commonwealth assents to the Federal Acts does not mean that the provisions contained in the Federal Acts become, automatically, a part of the

requirements of the Commonwealth of Pennsylvania. It would be impossible to have any court in the land stretch statutory construction to that extent. In order to place the Federal requirement as positive Pennsylvania law it would be necessary to include them specifically by reference. This section merely establishes a tacit consent by the Commonwealth to the Federal-aid law. It merely provides a basis for the Secretary to enter into the necessary agreements with the Federal Government with regard to Federal participation in our interstate and Federal-Aid highway system.

In conclusion I have covered most of the questions which the gentleman from Armstrong raised last Wednesday, and I hope it has cleared up some of the doubts that may have arisen since then. But, as I said the other day, when we consider a bill of this size and the many complex sections in this bill, which, incidentally, are 176 sections, you can appreciate the fact that it is one tough job.

Mr. HELM. Mr. Speaker, I do not intend to debate this bill at any length because I believe we have spent a sufficient amount of time on it.

I have the greatest admiration for the Chairman of the Highways Committee. I think, as I have said before, he has tried to give this bill very serious study. I think the gentleman has given, in all sincerity, his answers today which he did not have on our previous interrogation. However, I believe the gentleman is only giving what is his opinion, and that it does not actually bear out the wording in the bill. I do not believe we, as Members of this Legislature, can accept what the gentleman from Philadelphia thinks is in the bill as legislative intent. I think we have to go by the wording in the bill, and as I read the bill the words have not been changed one iota since the interrogation that I carried on on those two previous times.

I would like to call to the attention of the Members of this House that House Bill No. 1702, Printer's No. 1634, is in exactly the same shape that it was in on the 15th of September when we voted against the bill. And once again I ask the Members on this side of the House to vote against the bill.

Mr. GAILEY. Mr. Speaker, I would like to speak very briefly in support of the bill. I think the Members have had ample time both on the former occasion when this bill was debated and today to arrive at their own conclusion as to the specific questions which the gentleman from Armstrong raised in his prior interrogation.

I would like, however, to speak for just a moment on the total impact of this new Highway Code. I do not know whether the Members are aware of it or not, but this is the first new Highway Code we have had at any time here in the Commonwealth, the first time our highway laws have been given a thorough going over and revamped to bring them up to meet the tenor of modern times. The so-called Highway Code of 1945 was nothing more than a compilation of previous laws with regard to highways, some of them stretching back, of course, into the 19th Century. I do not think there is a Member of this House who can deny that our system of road building and our entire concept of modern high speed transportation has changed enormously in the years since 1945. There has been more progress made in the method of getting an automobile safely and rapidly from one point to another since 1945 to this time than there was in the 45 years pre-

ceding the Highway Code of 1945. Not only that it has become one of the biggest, if not the biggest, single expenditure of our state government.

In order to deal not only with the problem of getting highway transportation moving rapidly and safely in order not only to meet that problem, but also in order to see that our highway funds are spent wisely, it is absolutely imperative that we have a highway code which meets our modern concept of this program.

I think probably the Members are aware that this code represents not just the work of a House committee spent over this term, although certainly the members of the Highway Committee will be able to tell you the amount of time they have spent on this code, it also represents the work of not only of the Highway Department but of other competent, professional people who have volunteered their services to the state, some of them on the staffs of our great universities here in the Commonwealth, in order to give us this modern up-to-date code. I say to you that we cannot afford to wait for another Session in order to give the Secretary of Highways the proper tools, in order to give the government the proper tools it needs to cope with this situation.

I ask all the Members of the House on both sides to consider this apart from a party ranker, to consider it not as a partisan issue, but to consider it as a primary need of the people of Pennsylvania, and to vote for this bill.

Mr. SCHWARTZ. Mr. Speaker and Members, very briefly, to add to Mr. Gailey's remarks, a great many of the sections of this code are taken almost word for word from the Act of 1945. There are some new provisions in this act, but I am sure you can realize, with the changing times, progress, there must be some changes made in order to take care of the new conditions that exist today. It is a shame to make this a partisan bill, because it is not that at all. We have had other codifications of laws here this Session. We did not have the tumult and excitement that give us this modern up-to-date code. I say to you that we cannot afford to wait for another Session in order to we have had with this particular code. We had a Motor Vehicle Code, a Commercial Code. For some reason I cannot put my finger on, this sort of exudes an air of partisanship, and it should not, at all.

I made a study particularly of the condemnation sections of this bill, some ten pages. I say they are eminently fair, they are well drafted and the citizenry is adequately protected in the event of condemnation.

I urge that the Members on both sides of the aisle vote for this bill.

Mr. HEAVY. Mr. Speaker, I thoroughly agree with Mr. Gailey and Mr. Schwartz. I think they have done a very good job of covering the bill, but I would also like to add that we have a Secretary of Highways now, Mr. Martin, who, with the aid of the Mellon people and Governor Lawrence, has rebuilt the city of Pittsburgh. He was the architect, the engineer, and we have a wonderful man today as Secretary of Highways. He has gone to great length with all his staff to revise all of this highway data and put it all in shape so that it all came together in this bill. I think we should all support it and support it without partisanship.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. HELM, TOMPKINS and STEVENS.

The roll was verified and was as follows:

YEAS—103

Anderson,	Frank,	McLaughlin,	Reibman,
Arlene,	Frascella,	Machmer,	Reidenbach,
Balthaser,	Galley,	Maxwell,	Renwick,
Boles,	Gallagher,	Meholchick,	Riley,
Bonner,	Garlock,	Mills,	Rovanssek,
Branca,	Gelfand,	Monroe,	Sakulsky,
Breth,	Hamilton,	Muldowney,	Schaaf,
Burns,	Heavey,	Mullen,	Schuster,
Capano,	Holt,	Munley,	Schwartz,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Sherman,
Cianfrani,	Jenkins,	Murray, J. J.,	Shupnik,
Cioffi,	Jim,	Musto,	Silverman,
Clarke,	Jones, F. R.,	Needham,	Snider,
Comer,	Kamyk,	Nelson,	Stank,
Crossin,	Kessler,	O'Dell,	Sullivan,
Curwood,	Kornick,	O'Donnell, J. A.,	Taylor,
Dennis,	Lamb,	O'Donnell, J. P.	Trusio,
Devlin,	Leonard,	O'Neil,	Varallo,
Dougherty,	Limper,	Parlante,	Verona,
Ellberg,	Lopresti,	Pashley,	Walsh,
Farabaugh,	Lulgard,	Perry, H. H.,	Wargo,
Filo,	Lutty,	Perry, P. E.,	Wheeler,
Fineman,	McCann,	Petrosky,	Yatron,
Floyd,	McCormack,	Polaski,	Yetter,
Flynn,	McDonald,	Polen,	Andrews,
Foerster,	McKeever,	Prendergast,	Speaker

NAYS—89

Agnew,	Fulmer,	Kubitsky,	Seltzer,
Ashton,	George,	Lee, A. M.,	Snare,
Auker,	Gibb,	Lee, K. B.,	Steckel,
Barton,	Goldstein,	Light,	Stevens,
Bell,	Goodrich,	Lippincott,	Stewart,
Blair,	Gramlich,	McCandless,	Stimmel,
Bower,	Guthrie,	McInroy,	Stoner,
Bowman,	Heffner,	Magee,	Tompkins,
Brenninger,	Helm,	Mahan,	Ujober,
Buchanan,	Henzel,	Markley,	Varnier,
Davis,	Hocker,	Merry,	Wall,
Dengler,	Holliday,	Miller, B. Z.,	Weidner,
Dennison,	Horst,	Miller, H. G.,	Wescott,
Donahue,	Isaacs,	Murphy, P. J.,	Whittaker,
Donaldson,	Johnson, R.,	Murray, H. P.,	Williams, A. D., Jr.,
Down,	Jones, T. H. W.,	Murray, P. G.,	Williams, E. S.,
Edwards,	Jump,	Naugle,	Willard,
Eshback,	Kelser,	Odorislo,	Willaredt,
Eshleman,	Kernaghan,	Ogilvie,	Wilt,
Ewing,	Knecht,	Price,	Wood,
Fetterolf,	Kooker,	Pursley,	Worley,
Fox,	Korns,	Royer,	Wynd,
			Zimmerman,

NOT VOTING—16

Boris,	Kee,	Rigby,	Strausser,
Brown,	Kovolenko,	Rudisill,	Stroup,
Cooper,	Mihm,	Scarcelli,	Thompson,
Johnson, A. W.,	Moran,	Stone,	Welsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 3, entitled:

An Act providing for and regulating horse racing, other than harness racing with pari-mutuel wagering on the results thereof creating the State Horse Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of horse racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, we have not had an opportunity to caucus on this bill in its amended form, and I therefore ask the Majority Leader to put it over until tomorrow when we will have a chance to caucus on it.

Mr. McCANN. Mr. Speaker, this is a "no action" bill in either Party. There is no question about the bill. I will not pass it over for purposes of caucus. They can vote as they please. This bill is not for party action.

Mr. TOMPKINS. Mr. Speaker, this bill has been amended since it was on the calendar the previous time, and I think we are entitled to be able to caucus on it.

Mr. MAXWELL. Mr. Speaker, and Members of the House, for the gentleman's information and for the information of the other Members of the House, this bill is identical to the bill that passed this House last week by 107 votes. There are two changes. One, where it said "harness racing" on the other bill, it says "horse racing" on this bill. The other change is it says "or a special election." That is the only change, "or a special election," which means that you vote on the bill at a time when not a Member of this House will be running. Therefore, I see no reason, if you voted for last week's bill, why you can't vote for this bill because they are identical. Does that explain it?

Mr. TOMPKINS. Mr. Speaker, if this bill got 107 votes some other time, how come it is on the calendar?

Mr. Speaker, the Members on this side tell me this bill has been amended since it was on the calendar the previous time, and I think that we are entitled to caucus on this bill. Now whether we will take Party position or not I do not know and cannot tell you unless we take a caucus on it.

The SPEAKER. The only matter before the House is House Bill No. 3. The question is, shall the bill pass finally?

Mr. TOMPKINS. We are having a caucus tomorrow morning, and I think it a matter of right that we should be able to caucus on this bill.

The SPEAKER. There is no motion before the House to delay action. The question is, shall the bill pass finally?

MOTION TO POSTPONE BILL

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed upon the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I oppose the motion. As you quite well know, I explained before, if we were to go to a caucus on House Bill 3, our entire caucus says this is a "no-action" bill, you vote as you please, you vote individually.

The bill is just as Dr. Maxwell explained. I rise to oppose the motion and let the bill go to a vote. Those who feel like voting for the bill may vote for it, those who feel like voting against it may vote against it.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. TOMPKINS and DAVIS and were as follows:

YEAS—90

Agnew,	George,	Lee, A. M.,	Snare,
Ashton,	Gibb,	Lee, K. B.,	Steckel,
Auker,	Goldstein,	Light,	Stevens,
Barton,	Gramlich,	Lippincott,	Stewart,
Bell,	Guthrie,	McCandless,	Stimmel,
Blair,	Heffner,	McInroy,	Stoner,
Bower,	Helm,	Magee,	Tompkins,
Bowman,	Henzel,	Mahan,	Ujobai,
Brenninger,	Hocker,	Markley,	Varner,
Buchanan,	Holliday,	Merry,	Wall,
Davis,	Horst,	Miller, H. G.,	Weidner,
Dengler,	Isaacs,	Miller, B. Z.,	Whittaker,
Dennison,	Johnson, R.,	Murphy, P. J.,	Williams, A. D., Jr.,
Donahue,	Jones, T. H. W.,	Murray, H. P.,	Williams, E. S.,
Donaldson,	Jump,	Murray, P. G.,	Willard,
Down,	Kee,	Naugle,	Willaredt,
Edwards,	Keiser,	O'Dell,	Wilt,
Eshback,	Kernaghan,	Ogilvie,	Wood,
Eshleman,	Kessler,	Price,	Worley,
Ewing,	Knecht,	Pursley,	Wynd,
Fetterolf,	Kooker,	Royer,	Yetter,
Fox,	Korns,	Seltzer,	Zimmerman,
Fulmer,	Kubitsky,		

NAYS—97

Anderson,	Foerster,	Maxwell,	Reidenbach,
Arlene,	Frank,	Meholchick,	Renwick,
Balthaser,	Galley,	Mills,	Riley,
Boles,	Gallagher,	Monroe,	Rovasek,
Bonner,	Garlock,	Muldowney,	Sakulsky,
Branca,	Gelfand,	Mullen,	Schaaf,
Breth,	Hamilton,	Munley,	Schuster,
Burns,	Heavey,	Murphy, A. J., Jr.	Schwartz,
Capano,	Holt,	Murray, J. J.,	Sherman,
Capitolo,	Irviss,	Musto,	Shupnik,
Cianfrani,	Jenkins,	Needham,	Silverman,
Cioffi,	Jim,	Nelson,	Snider,
Clarke,	Jones, F. R.,	O'Donnell, J. A.,	Stone,
Comer,	Kamyk,	O'Donnell, J. P.	Sullivan,
Crossin,	Kornick,	O'Neil,	Taylor,
Curwood,	Lamb,	Parlante,	Trusio,
Dennis,	Leonard,	Pashley,	Varallo,
Devlin,	Limper,	Perry, H. H.,	Verona,
Dougherty,	Lopresti,	Perry, P. E.,	Wargo,
Ellberg,	Luigard,	Petrosky,	Walsh,
Farabaugh,	Lutty,	Polaski,	Wheeler,
Filo,	McCann,	Polen,	Yatron,
Fineman,	McDonald,	Prendergast,	
Floyd,	McKeever,	Reibman,	
Flynn,	McLaughlin,		Andrews, Speaker

NOT VOTING—21

Boris,	Kovolenko,	Odorisio,	Strausser,
Brown,	McCormack,	Rigby,	Stroup,
Cooper,	Machmer,	Rudisill,	Thompson,
Frascella,	Mihm,	Scarcelli,	Welsh,
Goodrich,	Moran,	Stank,	Wescott,
Johnson, A. W.,			

So the question was determined in the negative and the motion was not agreed to.

MR. HELM IN THE CHAIR.

On the question recurring,
Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, now that this motion has been defeated, I would just like to say that my understanding has been that if this side or the other side wants to caucus on a bill, the right should be given to caucus on such a bill.

I would like to say to the sponsor of this bill that we from Delaware County voted in favor of the Harness Racing Bill and we from Delaware County are in favor of this bill. However, if the bill is rolled today, we will not vote for it. We believe in supporting our leadership on this point.

Mr. MAXWELL. Mr. Speaker, Members of the House, in answer to the gentleman, I do not wish to impose upon

anyone in this House. However, time and again for some reason or the other I have held this bill up.

I have been openly accused to trying to defeat my own bill. That is why I oppose any delay in voting on this bill. If the Republican side of the House will assure me that they will give this bill a fair shake in their caucus, under those conditions I will be only too glad to hold the bill up. But, I do not want to be accused of deliberately trying to defeat my own bill which I have been accused of, and I want to make it plain on the floor of this House and to the press that I have done everything humanly possible to pass this bill without any help from anyone.

Mr. TOMPKINS. Mr. Speaker, had this bill been in the form in which it appeared on the calendar previously we would never have made the request to caucus on it. I will assure the gentleman that the Republican caucus will give this the fair treatment that it gives to all bills in its caucuses.

Mr. Speaker, if they insist on rolling the bill this afternoon, I merely want to point out something on page 17 for your consideration. Section 5—

The SPEAKER pro tempore. Will the gentleman yield? The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

BILL LAID ON TABLE

Mr. MAXWELL. Mr. Speaker, due to consideration of the Members of the other side of the House, I move to lay this bill on the table, for only a little while.

The motion was agreed to.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PARLIAMENTARY INQUIRY

Mr. AUKER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Mr. Speaker, in the way of interrogation of either the Majority Floor Leader or Dr. Maxwell, the sponsor of the last bill, for information regarding the last bill.

The SPEAKER. Will Dr. Maxwell permit himself to be interrogated?

Mr. WAXWELL. I will, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman when the motion will be made to take this bill off the table, since it is on the table?

Mr. MAXWELL. I would like to make it tomorrow.

Mr. AUKER. I did not ask him what he would like to do, I asked him and I would like to know when the motion is going to be made. I think everyone in the House is entitled to that notice.

Mr. MAXWELL. As far as I am concerned, the motion will be made tomorrow. Does that answer the gentleman's question? Does that give you time to caucus on it?

Mr. AUKER. Mr. Speaker, in answer to the gentleman, I am not the Republican party caucus; I am only an insignificant member of it.

The SPEAKER. The confession now ends.

Mr. AUKER. Spoken from the heart too, Mr. Speaker. Humility is a great asset you know, if you have guts enough to own up to it.

Mr. Speaker, Am I in order to make a brief remark as to the bill being laid on the table as it has been laid on the table?

The SPEAKER. The gentleman is in order to ask unanimous consent to address the House on any subject that occurs to him and if the House consents the gentleman will proceed.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House, in regard to the motion previously made on this particular bill, to lay on the table, I think this bill is of such importance and has such wide repercussions upon our society in Pennsylvania and our problem of juvenile delinquency in Pennsylvania that this bill at least ought to go over until next week. I hope it goes over until next week or the following week.

Mr. MAXWELL. Mr. Speaker, to answer the gentleman on juvenile delinquency. I will have to answer the gentleman's question by putting a question. Can you tell me what effect it will have on, as the gentleman said, juvenile delinquency, whether a horse pulls a cart or whether a man rides on his back.

Mr. AUKER. I agree with the gentleman, Mr. Speaker, it is not a point to be brought up at this time. I shall be glad to answer the gentleman if the bill goes over until the proper time, not tomorrow, so that we can give it thorough study and prepare a debate on this bill, and not until then.

I think I can assure the gentleman and point out to him and point out to the Members of this House where it will have an impact upon juvenile delinquency and the juvenile population of our state.

PARLIAMENTARY INQUIRY

Mr. BELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELL. Mr. Speaker, if tomorrow this bill is taken off the table by sufficient votes, it does not then appear on the calendar because the calendar will be printed and on our desks. When a bill is taken off the table in this manner, not being on the calendar, it is then in a position to be voted upon on that date?

The SPEAKER. When a bill is taken from the table it comes immediately before the House for its consideration and decision.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ODORISO for the remainder of today.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen fireman and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty * * *" extending the provisions thereof to the enforcement officers and in-

vestigators employed by the Pennsylvania Liquor Control Board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Sakulsky,
Auker,	Garlock,	McInroy,	Schaaf,
Balthaser,	Gelfand,	McKeever,	Schuster,
Barton,	George,	McLaughlin,	Schwartz,
Bell,	Gibb,	Machmer,	Seltzer,
Blair,	Goldstein,	Mahan,	Sherman,
Boles,	Goodrich,	Magee,	Shupnik,
Bonner,	Gramlich,	Markley,	Silverman,
Bower,	Guthrie,	Maxwell,	Snare,
Bowman,	Hamilton,	Mehoichick,	Snider,
Branca,	Heavey,	Merry,	Stank,
Brenninger,	Heffner,	Miller, B. Z.,	Steckel,
Breth,	Helm,	Miller, H. G.,	Stevens,
Buchanan,	Henzel,	Mills,	Stewart,
Burns,	Hocker,	Monroe,	Stimmel,
Capano,	Holliday,	Muldowney,	Stone,
Capitolo,	Holt,	Mullen,	Stoner,
Cianfrani,	Horst,	Munley,	Sullivan,
Cioffi,	Irvia,	Murphy, A. J., Jr.	Taylor,
Clarke,	Isaacs,	Murphy, P. J.,	Tompkins,
Comer,	Jenkins,	Murray, H. P.,	Trusio,
Crossin,	Jim,	Murray, J. J.,	Ujobal,
Curwood,	Johnson, R.,	Murray, P. G.,	Varallo,
Davis,	Jones, F. R.,	Musto,	Varner,
Dengler,	Jones, T. H. W.,	Naugie,	Verona,
Dennis,	Jump,	Needham,	Wall,
Dennison,	Kamyk,	Nelson,	Walsh,
Devlin,	Kee,	O'Dell,	Wargo,
Donahue,	Keiser,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Wescott,
Dougherty,	Kessler,	Ogilvie,	Wheeler,
Down,	Knecht,	O'Neill,	Whittaker,
Edwards,	Kooker,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Pashley,	Williams, E. S.,
Eshback,	Korns,	Perry, H. H.,	Willard,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Prendergast,	Wynd,
Fineman,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Zetter,
Flynn,	Lippincott,	Reibman,	Zimmerman,
Foerster,	Lopresti,	Reidenbach,	
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,		Speaker

NAYS—0

NOT VOTING—15

Boris,	Kovolenko,	Rigby,	Stroup,
Brown,	Mihm,	Rudisill,	Thompson,
Cooper,	Moran,	Scarcelli,	Welsh,
Johnson, A. W.,	Odoriso,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 634, Printer's No. 1684;

House Bill No. 1152, Printer's No. 1584;

House Bill No. 1161, Printer's No. 1375;

House Bill No. 1580, Printer's No. 1700 and

House Bill No. 1616, Printer's No. 1624
were passed over at the request of Mr. McCANN.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1851, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) changing the provisions relating to the limitations on size of certain vehicles.

On the question,
Will the House agree to the bill on third reading?
Mr. YETTER asked unanimous consent to offer amendments at this time.
The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."
Amend Sec. 1, page 2, lines 1 and 2, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."
Amend Sec. 1 (Sec. 902), page 2, line 18, by striking out "when."
Amend Sec. 1 (Sec. 902), page 2, lines 18 and 19, by striking out "are loaded with farm machinery they."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1852, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled equipment and fixing fees for such permits.

On the question,
Will the House agree to the bill on third reading?
Mr. YETTER asked and obtained unanimous consent to offer amendments at this time.
The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."
Amend Title, page 1, last line of Title, by striking out "equipment" and inserting: "machinery."
Amend Sec. 1, page 2, line 2, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."
Amend Sec. 1 (Sec. 905), page 6, by inserting between lines 2 and 3: "No such permit shall be issued for the movement of any self-propelled farm machine with a width in excess of ninety-six (96) inches, other than an oversized self-propelled combine upon the Pennsylvania Turnpike or the National System of Interstate and Defense Highway."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection
House Bill No. 1898, Printer's No. 1687
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) defining the word "taxes" to include penalties and interest.

On the question,
Will the House agree to the bill on third reading?
Mr. CAPANO asked unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 7, by striking out "and" and inserting: "except those levied and assessed under the authority of the act of June 25, 1947, (P. L. 1145), as amended, and shall also include."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

The remaining bills on pages 14 and 15 and the first bill on page 16 were passed over at the request of Mr. McCANN.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCandless,	Riley,
Arlene,	Galley,	McCann,	Rovansek,
Ashton,	Gallagher,	McCormack,	Royer,

Auker,	Garlock,	McDonald,	Sakulsky,
Balthaser,	Gelfand,	McInroy,	Schaaf,
Barton,	George,	McKeever,	Schuster,
Bell,	Gibb,	McLaughlin,	Schwartz,
Blair,	Goldstein,	Machmer,	Seltzer,
Boies,	Goodrich,	Magee,	Sherman,
Bonner,	Gramlich,	Mahan,	Shupnik,
Bower,	Guthrie,	Markley,	Silverman,
Bowman,	Hamilton,	Maxwell,	Snare,
Branca,	Heavey,	Meholchick,	Snider,
Brenninger,	Heffner,	Merry,	Stank,
Breth,	Helms,	Miller, B. Z.,	Steckel,
Buchanan,	Henzel,	Miller, H. G.,	Stevens,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irvls,	Munley,	Sullivan,
Clarke,	Isaacs,	Murphy, A. J., Jr.,	Taylor,
Comer,	Jenkins,	Murphy, P. J.,	Tompkins,
Crossin,	Jim,	Murray, H. P.	Trusio,
Curwood,	Johnson, R.,	Murray, J. J.,	Ujobal,
Davis,	Jones, F. R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, T. H. W.,	Musto,	Varner,
Dennis,	Jump,	Naugle,	Verona,
Dennison,	Kamyk,	Needham,	Wall,
Devlin,	Kee,	Nelson,	Walsh,
Donahue,	Kelser,	O'Dell,	Wargo,
Donaldson,	Kernaghan,	O'Donnell, J. A.,	Weidner,
Dougherty,	Kessler,	O'Donnell, J. P.,	Wescott,
Down,	Knecht,	Ogilvie,	Wheeler,
Edwards,	Kooker,	O'Neill,	Whittaker,
Ellberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Fillo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Reidenbach,	Andrews,
Frank,			Speaker

NAYS—0

NOT VOTING—15

Boris,	Kovolenko,	Rigby,	Stroup,
Brown,	Mihm,	Rudisill,	Thompson,
Cooper,	Moran,	Scarcelli,	Welsh,
Johnson, A. W.,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Sakulsky,

Auker,	Garlock,	McInroy,	Schaaf,
Balthaser,	Gelfand,	McKeever,	Schuster,
Barton,	George,	McLaughlin,	Schwartz,
Bell,	Gibb,	Machmer,	Seltzer,
Blair,	Goldstein,	Magee,	Sherman,
Boies,	Goodrich,	Mahan,	Shupnik,
Bonner,	Gramlich,	Markley,	Silverman,
Bower,	Guthrie,	Maxwell,	Snare,
Bowman,	Hamilton,	Meholchick,	Snider,
Branca,	Heavey,	Merry,	Stank,
Brenninger,	Heffner,	Miller, B. Z.,	Steckel,
Breth,	Helms,	Miller, H. G.,	Stevens,
Buchanan,	Henzel,	Mills,	Stewart,
Burns,	Hocker,	Monroe,	Stimmel,
Capano,	Holliday,	Muldowney,	Stone,
Capitolo,	Holt,	Mullen,	Stoner,
Cianfrani,	Horst,	Munley,	Sullivan,
Cioffi,	Irvls,	Murphy, A. J., Jr.,	Taylor,
Clarke,	Isaacs,	Murphy, P. J.,	Tompkins,
Comer,	Jenkins,	Murray, H. P.,	Trusio,
Crossin,	Jim,	Murray, J. J.,	Ujobal,
Curwood,	Johnson, R.,	Murray, P. G.,	Varallo,
Davis,	Jones, F. R.,	Musto,	Varner,
Dengler,	Jones, T. H. W.,	Naugle,	Verona,
Dennis,	Jump,	Needham,	Wall,
Dennison,	Kamyk,	Nelson,	Walsh,
Devlin,	Kee,	O'Dell,	Wargo,
Donahue,	Kelser,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wescott,
Dougherty,	Kessler,	Ogilvie,	Wheeler,
Down,	Knecht,	O'Neill,	Whittaker,
Edwards,	Kooker,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Pashley,	Williams, E. S.,
Eshback,	Korns,	Perry, H. H.,	Willard,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Fillo,	Leonard,	Prendergast,	Wynd,
Fineman,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Lippincott,	Reibman,	Zimmerman,
Foerster,	Lopresti,	Reidenbach,	Andrews,
Fox,	Luigard,	Renwick,	Speaker
Frank,	Lutty,		

NAYS—0

NOT VOTING—15

Boris,	Kovolenko,	Rigby,	Stroup,
Brown,	Mihm,	Rudisill,	Thompson,
Cooper,	Moran,	Scarcelli,	Welsh,
Johnson, A. W.,	Odorisio,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Sakulsky,

Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—15

Boris, Brown, Cooper, Johnson, A. W.,	Kovolenko, Mihm, Moran, Odoristo,	Rigby, Rudisill, Scarcelll, Strausser,	Stroup, Thompson, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 1131, Printer's No. 1354
was passed over at the request of Mr. McCANN.

BILL ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 823 on page 8 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, "Orphans' Court Act of 1951," divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such

jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. McKEE from the Committee on Labor Relations, reported as committed, House Bill No. 905, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," including services of industrial insurance agents within the definition of employment.

Mr. GELFAND from the Committee on Judiciary, reported as amended, House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted, relating to the taxation of real estate.

BILL ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bill was read the first time:

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 905, entitled:

An Act amending the act of December 5, 1936 (P. L. 2897), entitled "Unemployment Compensation Law," including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTIONS

Mr. SHERMAN offered a resolution which was laid over under the Rules.

Mr. T. H. W. JONES offered a resolution which was laid over under the Rules.

RECONSIDERATION OF VOTE ON HOUSE
BILL No. 1560

Mr. FILO. Mr. Speaker, I move that the vote by which House Bill No. 1560, Printer's No. 1658, entitled:

"An Act amending 'The Administrative Code of 1929,' approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands."

was defeated on final passage Tuesday, September 22, 1959, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Filo vote on final passage of this bill?

Mr. FILO. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington Mr. Polen, vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. FILO. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 1572 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

CONCURRENT RESOLUTION

In the House of Representatives, September 28, 1959.
Resolved (if the Senate concur) that House Bill No. 1572, Printers' No. 1299, entitled "An act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' further regulating reinstatement and requirements for credit for previous service AND THE RETIREMENT ALLOWANCES OF CERTAIN REEMPLOYMENT PERSONS," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2347 on page 3 of today's calendar, bill on second reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Bureau of Consumer Protection defining its powers and duties and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. GOLDSTEIN and McCANN offered the following amendments:

Amend Sec. 1 (Sec. 918), page 3, lines 5 and 6, by striking out "including but not limited" and inserting: "relating."

Amend Sec. 1 (Sec. 918), page 3, line 7, by inserting out "or commodities" and inserting: "in public utility matters."

Amend Sec. 1 (Sec. 918), page 3, lines 11 to 19; page 4, lines 1 to 11, by striking out all of lines 11 to 19, page 3; all of lines 1 to 10 and "(7)" in line 11, page 4 and inserting: "(2)."

Amend Sec. 1 (Sec. 920), page 4, line 20; page 5, lines 1 and 2, by striking out "or the" in line 20, page 4; all of line 1 and "guard the consumer" in line 2, page 5.

They were agreed to.

The section was agreed to as amended.

The second and third sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be laid aside for third reading.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 621

Mr. ROVANSEK. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 621.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 2237

Mr. DEVLIN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2237.

The SPEAKER. The report will lie over for printing under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 96

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

SENATE BILL No. 277

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

SENATE BILL No. 397

An Act amending the act of April 18, 1945 (P. L. 253) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law . . ." extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

SENATE BILL No. 755

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" increasing the investment powers.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 309

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 309.

The SPEAKER. This being a Senate Bill, the report will lie over for printing by the Senate.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, the House will go into sessions tomorrow morning at 10:00 a.m., and both parties will caucus very shortly after the House starts its day of business. We will caucus on the third reading and final

passage calendar tomorrow and also deal with the Senate Bills that are coming over, as I announced previously.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-246, Wednesday, September 30, at 9:45 a.m.

LAW AND ORDER, Mr. Mills, Chairman, Room 522, Wednesday, September 20, at 9:45 a.m.

The Womens' House Chorus will not rehearse at 9:00 a.m. Wednesday, September 30, but will rehearse at some

time during the day by special announcement.—Cylde R. Dengler.

All times are daylight saving time

ADJOURNMENT

Mr. DENNISON. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 30, 1959 at 9:00 a.m. EST.

The motion was agreed to, and at 4:28 p.m. EST. the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, SEPTEMBER 30, 1959.

No. 99.

SENATE

WEDNESDAY, September 30, 1959.

The Senate met at 9:00 o'clock, a.m., Eastern Standard Time.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

The PRESIDING OFFICER. The Chair wishes to state that he is presiding at the request of the President pro tempore, M. Harvey Taylor.

PRAYER

The Chaplain, Father EDWARD J. KRETZ, assistant Pastor of St. Mary's R. C. Church, Ford City, offered the following prayer:

With Thy assistance, O Lord, we shall finish with wisdom that which we came to do. Mindful of the blessings given those who hope and trust in Thee, we confidently ask for the help to discharge the Legislative duties before us.

O Father of us all, hear our prayer for determination of purpose, tempered, of course, with prudence. O God, who didst teach the hearts of Thy faithful people by sending them the light of Thy Holy Spirit, grant us by the same Spirit to have a right judgment in all things, and evermore to rejoice in His consolation Through Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk preceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 125, 639, 713, 861, 1035.

September 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 125, Printer's No. 134, entitled "An Act amending the act of May 1, 1933 (P. L.

103) entitled 'The Second Class Township Code' authorizing townships to acquire and maintain historical property and permitting township planning commissions to make recommendations in relation thereto."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 639, Printer's No. 1356, entitled "An Act amending the act of June 25, 1937 (P. L. 2086) entitled 'An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons' whereby the term 'State' shall mean any one of the several states and certain territories and possessions of the United States."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 713, Printer's No. 729, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' increasing the per diem payments and traveling allowance of delegates to conventions of county associations of township officers."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 861, Printer's No. 1000, entitled "An Act to amend the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' by further regulating sabbatical leaves for employes of school districts."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1035, Printer's No. 1222, entitled "An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended 'An act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions' extending the act to municipality authorities."

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL No. 868 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 868, entitled:

An Act amending the title and act, of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars; increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1103 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

Will the President pro tempore please come to the rostrum?

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

House Bill No. 296, Printer's No. 330;
House Bill No. 367, Printer's No. 295;
House Bill No. 542, Printer's No. 239;
House Bill No. 707, Printer's No. 263;
House Bill No. 832, Printer's No. 898; and
House Bill No. 1305, Printer's No. 1648.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 1002

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," deleting a route in Hanover Township, Lehigh County.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1065

He also returned to the Senate, Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission, to sell and convey real property situate in the Township of East Saint Clair, Bedford County.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen, firemen and park guards by the Commonwealth of Pennsylvania, counties, cities, boroughs, towns and townships who are injured in the performance of their duty; ***," extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

Which was committed to the Committee on Rules.

House Bill No. 1376, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps * * * and for the rehabilitation and training of male youth * * *," authorizing the acceptance and return of certain juveniles as campers and providing for reimbursement by the county for expenses.

Which was committed to the Committee on Rules.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1572

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 29, 1959.

Resolved (if the Senate concur), That House Bill No. 1572, Printer's No. 1299, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowance and reinstatement and requirement for credit for previous service.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621

Mr. KOPRIVER, JR. Mr. President, I submit the report of the Committee of Conference on House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto, and making an appropriation.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2237

Mr. ELLIOTT. Mr. President, I submit the report of the Committee of Conference on House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

SENATE CONCURRENT RESOLUTION TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, September 30, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, October 13, 1959, at TWO o'clock P.M., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, October 13, 1959, at THREE-THIRTY o'clock P.M., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE BILL No. 2326 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 3 of today's Third Reading Calendar, House Bill No. 2326, Printer's No. 1704.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Department of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

The PRESIDING OFFICER. For the information of the Members, this bill has been called up and before the the Clerk reads the bill is the time for the offering of amendments.

Mr. WEINER. Mr. President, I want to thank the Chair for bringing us up-to-date because we were not following.

Mr. President, I would like to ask unanimous consent—I believe we had an agreement as of the record yesterday—to offer amendments to House Bill No. 2326, as stated by the Chair.

Mr. BERGER. Mr. President, I would suggest that

unanimous consent to offer amendments on Third Reading be recognized by the Chair for all amendments.

The PRESIDING OFFICER. The Chair hears no objection, and it will be understood that the request for unanimous consent will not be necessary to offer amendments to this bill.

Mr. WEINER. Mr. President, before we offer any amendments, there were some points brought up here yesterday that I do not think were gone into very clearly.

I believe that one of the things that we have to clear up here today, as we go into this legislation, is that most people think of the budget as being a maze of figures, too complicated to understand, too difficult for any kind of comprehension or any sense, and I think we should dispel that and not work in this miasma, but get into the area where we can see exactly what is taking place and what is going on so that we understand this situation.

I believe yesterday the Majority Leader, Senator Berger, as we went through this bill department by department, went on at great length to point out that there were actually increases being made in the budget. This, on its face, is true. However, let us examine that just for one minute. If you take the 1957-1959 budget and you take the increases given by the Senate in the 1959-1961 budget, you actually do have an increase. Suppose we begin with the premise that the 1957-1959 budget was cut very badly. You do not have to take my word for that. Let us look at the deficit we had when we came back here in January. It was somewhere in the neighborhood of \$177,000,000. This, in turn, was reduced to \$141,000,000, due to two facts; the Governor's austerity program and lapses by the departments as a result of the austerity program, and also the bettering of our economy.

What has taken place since that time? It is true, as the Republicans say, that they have increased the budget by \$171,000,000. Let us take a look at these figures for a moment, and I think everyone will agree that the figures as stated or cut are the figures. Let us take that for the moment as being the correct situation.

We have \$115,348,000 in over-all mandated budget items. These are items that have to be enacted whether the Democrats are in control of the Senate, or the Republicans are in control of the Senate, and no matter who might be the Governor. These are items that we have to deal with, and they include such items in the Department of Public Instruction as G. S. A. Rentals, support of the public schools, special education for the blind and the deaf and the Public School Employees Retirement Fund. In the Department of Health, we have the county health units, school health examination and the clean streams program. In Labor and Industry, we have Social Security and Occupational Disease. In the Treasury Department, we have interest on sinking fund requirements and assistance in grants to individuals. This comes to \$115,348,362. We have to do that as a legislative body or else we are violating the Constitution of this State.

When you add to that the item of \$57,080,999 for items that come about as a result of legislative policy, laid down by previous Legislatures—and will enact the same ones unless we decide not to give any aid to the colleges and universities, not to carry on the rehabilitation program in Labor and Industry, to cut out the aid to medical hospitals and services for children and youth—and you

add these two figures together, you will see that \$115,000,000 and \$57,000,000 comes out to \$172,000,000.

The Republicans have increased the budget, by their own statement, only \$171,000,000, so that they are shy the amount they are talking about now.

In discussing this problem, I am going to take the figures released by the Members of the Appropriations Committee, which led by Senator Stevenson as the committee chairman, heading this special project, and, thereafter, I do not know who served on this committee. I have tried to ascertain which was the small group that made up the budget cuts or increases, and I have been unable to ascertain that. However, I am taking these figures as were released by the Members of the Republican Party, and, even taking those figures as they have them here and the deficiency that has resulted therefrom, I find that there are errors in that.

A little later on, I would like Senator Berger to explain some of these, or Senator Stevenson or anyone else who might want to volunteer to explain it to us.

These figures that have been presented to us and the cuts that have been made, if you will add the amounts taken—they are very short and are not very difficult. In occupational disease, for example, the cut in the present budget is \$3,000,000. In the 1957-1959 budget, it was \$3,200,000.

Take the teaching units in the formula method; in this budget, a cut has been made of \$3,166,350. In the 1957-1959 budget, this same figure was cut \$3,500,000.

Let us take such items as the closed school program. In this budget, you are cutting it \$144,900. In the 1957-1959 budget, you cut it \$140,300. Education for the deaf and the blind is being cut this year by \$25,000. These items I am reading to you are mandated items.

In the extension of education to these different people, you are cutting \$500,000 this biennium. Last biennium, you cut it \$772,000. Public Assistance was cut in the 1957-1959 budget \$12,500,000. In this budget, you are cutting it \$10,000,000.

You are merely repeating here the same cuts that you made before of mandated items, and I do not understand how you can do this under the law.

When you add to that the fact that Senator Kessler—I am sorry I do not see him in the room; I am sure he must be here some place—has asked that the estimates be increased by \$337,000,000, plus the cuts that you have made in the mandated items, I do not see how you can come out with anything but a deficit.

This has not only happened to Governor Lawrence, but it has happened to Governor Duff, Governor Fine and Governor Leader. Each Session of the Legislature seems to inherit the same type of deficit every single time.

To me, this is nothing more than budget trickery, and I do not think you are going to fool anyone. I do not even think this is political hay. It is an absolutely gross error and a gross mistake that you are making. This is the type of thing that will come back to haunt us in the next Session of the Legislature that meets to discuss these very problems.

Why are we being unrealistic and not looking the facts in the face, especially in view of the steel strike which is lasting far beyond what anyone anticipated when it first began? This will also drain the State's money. You are not providing for the present needs in the economic

situation as it existed before this strike nor for any kind of emergency which may arise, and I am sure there is no one on the other side who can tell me that there will be no emergency between now and the end of the year. I certainly hope there is not. However, if there is, what are we doing to provide for it?

I do not think you can say that people who are in mental institutions and children in the schools are going to be cut because this is a way of saving money.

Mr. President, I now desire to interrogate the Majority Leader.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. I hope he will forgive me for using his own figures.

Mr. BERGER. I will not.

Mr. WEINER. I hope you have in front of you, Senator Berger, the figures released by the Appropriations Committee.

Mr. BERGER. Yes.

Mr. WEINER. May I draw your attention to page 2 of that statement, Item D. There is a statement there which says: "Does not include \$3,000,000 for Jan., 1959 flood damage."

Mr. BERGER. Yes, I see it.

Mr. WEINER. All right. Now would you come down to Item F, please, on that same page. It says: "Includes \$74,263,221 in deficiencies." Is that correct?

Mr. BERGER. That is correct.

Mr. WEINER. All right, sir. Would you answer for me if the \$74,263,221 figure, which I just read to you, includes the \$3,000,000 in Item D?

Mr. BERGER. No, I would say that it does not.

Mr. WEINER. You say it does not include that?

Mr. BERGER. Apparently not.

Mr. WEINER. Then should that figure be \$77,000,000?

Mr. BERGER. No, I would not say so.

Mr. WEINER. Then should it be \$71,000,000, if we deduct the \$3,000,000?

Mr. BERGER. Item D, referred to, is under the State Council of Civil Defense. Is that correct?

Mr. WEINER. That is right, sir.

Mr. BERGER. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. BERGER. Mr. President, I am informed that the \$74,263,221 does include the \$3,000,000 for deficiencies, which was supplied by an Act of Assembly providing for the deficiency in that appropriation for that purpose.

Mr. WEINER. Mr. President, I want to thank the gentleman.

I would like to point out that in these figures, when you look them through, this \$3,000,000, plus the \$74,000,000, gives you the impression there is \$77,000,000. If this is the kind of loose handling of funds, or loose explanation of funds, I certainly would like to recommend to the gentlemen on the other side that they very carefully go over some of the budget cuts they did make, and go over some of the items in the budget to make sure they are not in the same category as this.

Mr. President, at this time I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WEINER. Senator Kessler, did you write a letter, if you remember, in June of this year, the date I have is June 25, 1959, but the date is not important and I would not expect you or anyone else to remember a date unless there were something significant tied to it—addressed to The Honorable Charles M. Dougherty, Secretary of Revenue? Do you recall that letter at all, Senator?

Mr. KESSLER. Yes, sir.

Mr. WEINER. I believe the nature of the letter or the general terms of the letter—if I am stating it incorrectly, please correct me—were that you were trying to ascertain how much we could raise the estimates in regard to corporate net income. Is that correct, sir?

Mr. KESSLER. That is correct.

Mr. WEINER. I hope you will forgive me for reading this, but I would like to read it so that we can be clear on what we are talking about.

This is on the second page of your letter to Mr. Dougherty, and you stated in that letter:

“My chief reason for raising these questions”—and you are talking about some of the other problems—“is that I have had, from three different groups, estimates of corporate net income for the 1959-61 biennium of \$320 million, \$330 million and \$347 million. I honestly believe that the latter figure is way too high,”—speaking of the \$347,000,000 figure—“but I am wondering whether the \$330 million is not a reasonable expectation.”

Is that correct, as you remember it, Senator?

Mr. KESSLER. That is correct as I remember it.

Mr. WEINER. Now, sir, I believe at a later stage of the game, probably about a week or so ago—and if you were misquoted, I wish you would tell me—you stated that you felt the estimate on this should be \$337,000,000. I believe you used the Joint State Government Commission figure as a figure. Is that correct, sir?

Mr. KESSLER. That is not correct. I used the Joint State Government Commission figure as one of a number, but I felt that \$300,000,000 was still the figure that we could expect in Pennsylvania.

Mr. WEINER. Then, sir, is it your answer to my question that you feel now the raising of the estimate should be \$330,000,000 and not \$337,000,000?

Mr. KESSLER. I still think that is the proper estimate of revenue for this particular tax, yes sir.

Mr. WEINER. Would you say to us, Senator Kessler, now that we have this steel strike and the offshoots of it and the surrounding economy drop that we will have if it continues on for a longer period of time, that you still feel this \$330,000,000 as an estimate is a fair amount, based on the economic situation as it exists at this moment?

Mr. KESSLER. Yes, sir. Unless the steel strike continues for a much longer period than we expect, we will still obtain, I believe, \$300,000,000 from the corporate net income tax.

Mr. WEINER. Senator Kessler, would you further advise the Members of this Senate, should the steel strike continue for another month, and we may not be in Session then, would you say the \$330,000,000 estimate is a fair estimate?

Mr. KESSLER. For the biennium, Mr. President, I think

\$330,000,000 is a good estimate even though the steel strike continues to the end of October.

Mr. WEINER. Senator Kessler, could you advise us, or do you have any knowledge at all when the steel strike might end so that we can use this as a fair figure?

Mr. KESSLER. I cannot prophesy, Mr. President. I can give you some observations, if they would be of any value to you. However, I doubt whether they would be worth any more than you read in the newspapers.

Mr. WEINER. I want to thank the gentleman. He was very kind in answering my questions.

Mr. President, I believe the gentleman answered the question by saying he cannot prophesy too well how long the strike is going to last, and neither can I.

I would like to also apply that some type of prophesying to a figure that we are going to have to depend upon for operating the Commonwealth, its many institutions and some of our other problems. If we cannot prophesy very well how long the strike is going to last or what our economic situation is going to be thirty days from today, it is a little bit difficult to ask us to raise our revenue estimates based on the facts as we now have them. They may or may not get better. We have to deal with the realities of the situation, not the probabilities of them.

Mr. President, I direct this question to no one in particular, unless one of the gentlemen on the other side would like to answer the question of the cuts made in the mandated items which I read earlier, and how this can come about or how we can do this after we have mandated them by previous Sessions of the Legislature and we have no legislation that I know of which would curtail these services. If some one on the other side would answer this question, either now or at some time during the day, I would be very happy to know it, and I am sure my colleagues would also because perhaps there is something we do not know about this situation. If someone would inform us, we would be very happy to have that knowledge.

I now yield to Senator Silvert.

Mr. SILVERT. Mr. President, at this time, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The Clerk read the amendment as follows:

Amend Sec. 2, page 25, line 8, by striking out “\$15,122,603” and inserting: “\$15,825,178”.

On the question,

Will the Senate agree to the amendment?

Mr. SILVERT. Mr. President, this amendment is intended to restore the cut of some \$702,575 to the Department of Property and Supplies, which is one of the most vital departments in the Commonwealth of Pennsylvania. I might say at the outset that the original estimate made by the Secretary and given to the Governor was some \$17,281,544. The Governor's Office reduced this estimate by about \$1,500,000. It was admitted at the time the Governor's Office cut this amount that at least half of it, or about \$750,000, was unjustified and was done simply to comply with the austerity program and also to stay within the \$400,000,000 increase in taxes.

Mr. President, unfortunately, the people of Pennsylvania do not realize the great responsibilities of the Commonwealth, nor do they understand them. The same goes for even some of our editors. May I read to you—I would like Senator Confair to listen to this; he looks like he is not

interested—an editorial from the Williamsport Sun-Gazette, dated June 19, 1959? It is headed: "Efficiency Is Important Form of Economy." I will not read it all, but I will read one or two paragraphs, as follows:

"State Senator Z. H. Confair, of this city, talked recently about the vast operations of the State Department of Property and Supplies. The Commonwealth, he says, makes annual purchases in excess of"—and please note this figure—" \$800-million through this single agency.

"Senator Confair says 'the men who are in charge of this buying do not have the big buying qualifications and experience that a yearly expenditure of \$800-million demands.

"A saving of \$80-million in the Department of Property and Supplies would go far in erasing the \$100-million deficit."

This article appeared on June 19. You might think that Senator Confair and the Williamsport Sun-Gazette, by September 26, would realize what a terrific exaggeration it made in this calculation in its editorial on June 19. However, getting down to September 26, 1959, an editorial appeared in the newspaper which, for the sake of brevity, I will read in part as follows:

"Our own Senator Z. H. Confair has said the Department of Property and Supplies could save the state about \$80-million a year through a different and more efficient method of purchases."

Now, Mr. President, for the facts. The Department of Property and Supplies not only does not spend annually \$800,000,000, but it has not spent that much in ten years. Its total expenditures, as of 1958, I believe are \$80,000,000. How are you going to save \$80,000,000 on annual purchases, when the total amounts to \$80,000,000?

This cut of \$702,575 does not sound like a great deal from a budget of some \$15,000,000. However, Mr. President, let me tell you what this cut will do to the department. As one of its objectives, the department has the commodity catalogue. This program would help pinpoint department material needs, and take the guesswork out of central procurement. More accurate procurement will affect program economy and efficiency in terms of funds needed to supply the material needs, and so on.

On the Stock Control Program, this is the establishment of codes to identify, by single items and categories, approximately 5,000 items procured by the Commonwealth. This permits planned procurement. It would permit the department to take advantage of seasonal market fluctuations and would permit more accurate estimates of total needs for a given commodity, thereby enabling the department to obtain more attractive prices because of larger requirements.

Mr. President, these two projects will have to be abandoned because of a cut of \$100,000 out of that \$700,000.

The next thing to be affected is that the department, under the law, is required to conduct a survey of all buildings, equipment, land and improvements connected with and comprising each State institution. This survey is to be made every two years. Reports emanating from it are to serve as a basis for budgeting, for alterations and repairs for future bienniums. Personnel has proven insufficient for many years to allow the Department of Property and Supplies to accurately conduct such a survey. A cut of \$100,000, to make up that \$702,000, will cause this survey to be abandoned.

Recently, Mr. President, the General State Authority constructed a \$3,000,000 underground garage. With the reduction of this appropriation, the Department of Property and Supplies will not have the necessary funds to operate the new 750 car underground garage facility, because at least \$126,000 is needed to operate this facility. It is needed to pay the salaries and wages of the employees in the new underground garage and also for necessary materials and supplies that are required to operate it for the remainder of the biennium. There will have to be a cut here of another \$126,000 toward that \$702,000.

The next item is the maintenance and repair of State-owned buildings. New buildings in Harrisburg, Pittsburgh and Philadelphia increased the floor space, a responsibility of this Department, from 1,934,241 square feet, in 1955, to a current figure of 3,998,225 square feet. Parking spaces also doubled during the same period. Custodial and maintenance costs did not increase in any proportion to the more than 100 per cent increase in physical management of this responsibility. The reduction made in the budget allotment will reduce custodial, janitorial, maintenance and repair, and elevator service to the State office buildings in Harrisburg, Pittsburgh and Philadelphia. It also will be necessary to drastically curtail elevator maintenance contracts, as well as much need repair to the Capitol area buildings and the paving of parking lots to the rear of the Main Capitol Building. This cut, toward that \$702,000, is \$176,575.

One other important responsibility of the Department of Property and Supplies is the acquisition and disposition of surplus Federal property. Early in 1945, the Federal Government made available to all educational institutions a great variety of surplus Federal property. Since then, the program has extended to health, welfare and civil defense organizations. Since 1952, the program has increased tenfold. A recent announcement by the Federal Government stated that future surpluses shall continue to increase and that serviceable and scientific equipment, suitable for educational use, will be available.

The Department of Property and Supplies has operated this program from a single warehouse in Harrisburg. However, with the great increase in variety and quantity, combined with the increase in the number of eligibles, it has become exceedingly difficult to render the type of service appropriate for a State that is so wide in area and so densely populated as Pennsylvania.

There was under contemplation the construction of two additional warehouses, one in Pittsburgh and the other in Philadelphia, at a cost of \$100,000. This project will also have to be abandoned.

Mr. President, another responsibility of the Department is the formulation of building standards. Section 2403.1, added to the Administrative Code in 1956, specifically charges the Department of Property and Supplies to work with other government units and outside consultants in the formulation of standards to be applied to all construction and alteration projects to be conducted by the Commonwealth of Pennsylvania. A start was made in this regard, but activity was canceled due to lack of further funds. Here, another cut of \$100,000 finally brings the total cuts to \$702,575.

Mr. President, I say to you that even though the amount here is less than five per cent, you are cutting into a budget that has already been overcut. The end

result will be that you will save pennies. We will be penny-wise and pound-foolish.

Mr. President, I urge this Senate to act favorably on the amendments to restore the \$702,575 to the Department of Property and Supplies.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

Mr. CONFAIR. Mr. President, Senator Silvert mentioned that in a newspaper article in Williamsport, I said this department could save \$80,000,000. I do not intend to go into that today, but I will later. I still contend the Department can save \$80,000,000. Later, I think I can bring proof. However, I will not do it today because we are on the budget.

Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Silvert.

Th PRESIDENT. Will the gentleman from Philadelphia, Mr. Silvert, permit himself to be interrogated?

Mr. SILVERT. I will, Mr. President.

Mr. CONFAIR. How much does this Department purchase in one year?

Mr. SILVERT. Eighty million dollars worth.

Mr. CONFAIR. Your figures are wrong.

Mr. SILVERT. If you want figures, you can get them downstairs. It is \$50,000,000 for the various departments and, I think, it is \$30,000,000 for the Department of Highways. They are figures which you can establish by just going down there. They have the books for you.

Mr. CONFAIR. I have established those figures. Your Secretary of Property and Supplies purchases \$800,000,000 worth of goods a year for all these other departments. He is the purchasing agent for everybody on Capitol Hill.

Mr. SILVERT. I assume we are permitted to interrogate one another, Senator Confair.

Mr. CONFAIR. That is right; go ahead.

Mr. SILVERT. Do you realize that the entire annual budget for the Commonwealth of Pennsylvania is somewhere around \$900,000,000, even for the years 1959-1961?

Of this sum, approximately one-half goes for public education. How this department is going to spend \$800,000,000, a year is rather hard to figure out.

Mr. CONFAIR. Have you included the Department of Highways in that figure?

Mr. SILVERT. The purchases for the Department of Highways amount to \$30,000,000 annually.

Mr. CONFAIR. I think your figures are wrong, Senator Silvert. Your first figure was wrong because our budget is \$300,000,000 for the biennium. Is that right?

Mr. SILVERT. Yes. However, we are talking about the part that the Department of Property and Supplies purchases. Those figures are on the books and the amount is \$30,000,000 per annum.

Mr. CONFAIR. I have a letter, which I do not have with me, that I sent to the Secretary of Property and Supplies on May 14, after a conversation with him. He told me—and I believe him—that his total purchases amounted to \$800,000,000. I have to take the word of the Secretary of Property and Supplies.

Mr. SILVERT. Senator Confair, if you will read the statement which the Secretary read before the Appropriations Committee early this year, you will find a definite statement, as I read it this morning, that the annual purchases for department amount to \$50,000,000 and that

the purchases for the Department of Highways amount to \$30,000,000. You will find that in the statement of record, made by the Secretary of the Department.

Mr. CONFAIR. The only man's word I can take is the Secretary of Property and Supplies, who gave it to me. I wrote him a letter and he did not reply to it in order to correct the amount. However, let us move on to something else, anyway.

How much more money, net amount, are we going to give that department this year?

Mr. SILVERT. I understand that the department is getting something like \$10,800,000 more than they did in the last biennium. However, Senator remember this. Included in this are rentals paid to the General State Authority. The increased rentals, alone, will more than make up for this increase of \$10,000,000. I understand the increase in rentals will be \$12,500,000.

Mr. CONFAIR. That is almost correct. However, you have in the budget \$43,500,000 for rentals. I have a letter here, written by Mr. Caruso and sent to Senator George B. Stevenson, Chairman of the Appropriations Committee, stating that all they need for the next biennium is \$42,450,000.

Mr. SILVERT. I should like to comment on that, Senator Confair. It is too bad that Mr. Caruso communicates with your department and fails to furnish that information to the Governor and to the Budget Secretary. Otherwise, the figure would not have been \$1,000,000 more.

I might say to you that I had another amendment ready to restore that \$1,000,000. However, in view of the fact that Mr. Caruso went to you and told you it can be done for \$1,000,000 less, we are going to accept that and I will withhold that amendment and not offer it.

Mr. CONFAIR. Thank you. I am glad you do accept that amendment.

How much do you figure that net increase is to the operation of this Department?

Mr. SILVERT. I am not familiar with that figure.

Mr. CONFAIR. I will give it to you. The figure is \$1,581,755, as the net increase to the Department. There is no doubt that this Department can operate and do all the things they want or should do on that kind of an increase.

When the Department requested their budget from the Governor, do you remember how many additional men they wanted to hire?

Mr. SILVERT. I have no figures on that.

Mr. CONFAIR. The number was 211 additional employees.

Mr. SILVERT. It might very well be that inasmuch as the space now occupied by State buildings has doubled from some 1,800,000 to 3,900,000, they need additional personnel to take care of the property. That is how you preserve property.

Mr. CONFAIR. At the beginning of this past biennium, in 1957, 1,014 was the total number of employees in that Department. Now, in 1959, we have 1,215 employees. We have gained 201 employees in the last two years in that Department.

Mr. SILVERT. We have also gained a couple of buildings. There is a new building in Philadelphia that is saving the Commonwealth money—I do not know just what amount—in rentals. It needs personnel. Pittsburgh

has a new building that needs personnel. The Department of Labor and Industry has a new building which needs personnel, and the same applies to the Departments of Health and Public Welfare. You must have people to maintain these buildings. Otherwise, your rate of depreciation would be so rapid and there would be a terrific waste of money.

Mr. CONFAIR. What was the total State employment in 1954?

Mr. SILVERT. I cannot carry those figures in my mind.

Mr. CONFAIR. Does 50,000 State employees sound reasonable?

Mr. SILVERT. Sixty thousand sounds like a reasonable figure.

Mr. CONFAIR. Do you know how many we have today?

Mr. SILVERT. I do not know.

Mr. CONFAIR. Does 75,000 seem reasonable?

Mr. SILVERT. I am advised that it does not seem reasonable.

Mr. CONFAIR. Does 76,000 sound more like it? Anyway, do you know of any department in the State Government that has reduced employment by one man?

Mr. SILVERT. The State Police, I understand, have seventy-five vacancies at the present time.

Mr. CONFAIR. They did not have them before and, therefore, they have not reduced their employment.

What I am trying to bring out here, Mr. President, is that we talk about increasing the budget, but not in one place have we heard the Governor or anybody in this Senate say that we are going to reduce expenses. Instead of raising the budget and raising the taxes, Governor Ribicoff, of Connecticut, reduced his employees in State Government by 23,000 people. How many have we reduced in the Commonwealth of Pennsylvania? We have not reduced the number by one man. We are not for economy. This budget is loaded. Let us think about economy for once. That is the reason why we should not put anymore money in this department. This department is loaded with money.

Let us admit that they did try to do one thing. They installed a Univac. Is that correct?

Mr. SILVERT. That is correct.

Mr. CONFAIR. They tried to save money. Is that right?

Mr. SILVERT. That is correct.

Mr. CONFAIR. Do you know how much they spent for the Univac?

Mr. SILVERT. I do not know.

Mr. CONFAIR. It cost them \$153,326 for the installation. I understand the cost of operating that Univac is \$25,000 a month. If it saves money, that is all right. On top of that, we pay so much a day for every hour it is operated. That means \$300,000 a year for the use of the Univac. It should save money.

The Department of Property and Supplies charges the other departments for the use of that Univac. For instance, I will cite the Department of Highways. This is supposed to be a means of saving money. They are charged \$66,000 for the use of the Univac. However, how much do they use it. They have an I.B.M. machine for which they pay \$11,000 a month. They do not use this Univac one bit. I can cite all these other departments which are supposed to use the Univac, but do not use it. They could use it to save money. Instead of that,

they do not use it and a report on the Univac shows that they should take in \$339,000 a year by charges to other departments. Actually, they only take in \$202,000 a year. Therefore, this Univac is a waste. I think we can do a lot in this Department to save some money, especially in this Univac deal. This department is full of waste. I think Senator Silvert and I could go down there and really clean house. We could save the Commonwealth a lot of money.

Regarding Senator Silvert's question about the \$80,000,000, I will have information on that later, but I do not want to bring it out today.

Mr. SILVERT. Mr. President, I should like to yield to Senator Weiner at this time.

Mr. CONFAIR. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. CONFAIR. Senator, how many Secretaries and Deputy Secretaries do we have at the present time in the Department of Property and Supplies?

Mr. WEINER. I think you well know, as I do, that there is one Secretary and there are a number of Deputies who handle certain bureaus. If you are speaking of Deputies, as such, who are directly in charge of the department, or Assistant Deputies, I do not think such things exist. We do have bureau heads whom we happen to call Deputies. I believe the number is three.

Mr. CONFAIR. Right. Do you know how many there were in 1954?

Mr. WEINER. No sir, I do not have that information this morning.

Mr. CONFAIR. May I inform you, please?

Mr. WEINER. Yes, please do.

Mr. CONFAIR. In 1954, there was one Secretary at \$15,000 a year, one Deputy Secretary at \$12,000 and one Purchasing Agent at \$8,200 a year, or a total for that department of \$40,200 a year as the cost to operate that department.

Now would you like to be informed what we have today?

Mr. WEINER. Yes, please. I hope it is little more accurate than the \$800,000,000 figure that you gave the newspaper.

Mr. CONFAIR. That \$800,000 figure is O.K. I will explain it to you someday.

Mr. WEINER. Do you still feel the \$800,000,000 figure is correct?

Mr. CONFAIR. That is right. There is nothing wrong with that \$800,000 figure.

Mr. WEINER. I am referring to the \$800,000,000 figure.

Mr. CONFAIR. Eight hundred million, that is right. Thanks for the correction.

Today, you have one Secretary at \$20,000 a year instead of one at \$15,000. You have three Deputy Secretaries at \$13,933 a year. You have one Purchasing Agent, with five men under him. The one Purchasing Agent gets \$10,953, and each of the five men under him receives \$6,900, or a total of \$107,000 plus, against \$40,000 four years ago. That is where I think we can save some money in that department. That is probably the reason we cut them a little bit.

Mr. WEINER. Mr. President, I do not want to interrupt

the gentleman, but if he is finished, there are one or two questions I would like him to answer for me and, perhaps, we can get this debate on a level where we can discuss State finances in a realistic vein rather than casting and hurling accusations at different people in the Administration.

Mr. CONFAIR. The only thing I am trying to do, Senator, is to show where we are wasting this money, rather than spending it. I would like to find the place where we are wasting it.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Confair.

The PRESIDENT. Will the gentleman from Lycoming, Mr. Confair permit himself to be interrogated?

Mr. CONFAIR. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise the Members of the Senate how many less employees there were on the State payroll in June of this year as compared to January of the same?

Mr. CONFAIR. June and January?

Mr. WEINER. Of this year, sir.

Mr. CONFAIR. That is when the austerity program was in effect. Is that right?

Mr. WEINER. Yes sir.

Mr. CONFAIR. I would like to be informed by the Senator.

Mr. WEINER. If I were to tell you that the number was 2,300 less, would that impress you?

Mr. CONFAIR. Yes, it would.

Mr. WEINER. All right. That happens to be a fact. Might I also point out to the gentleman that the total amount of money spent, and in the budget for the Department of Property and Supplies, is \$80,000,000?

I would just like to point out to the gentleman, also that if you are going to write an article for a newspaper, you must have the correct figures. You used the figure of \$80,000,000 in the Williamsport paper, and you said if ten percent were saved, it would be \$80,000,000. I think that was erroneous. I would like to feel that the error was that of the newspaper in printing the story or that you gave them the wrong figure, rather than that this is something you have decided upon.

Half of our budget, sir, is spent on education, which runs \$800,000,000. If you are saying to the Members of this Senate that one-half of the budget again is spent on the purchase of property and supplies, I think that would bring us out to \$1.6 billion. The total of the Governor's Budget is \$1.7 billion or \$1.8 billion, depending on the items that you are putting into it. We would have education and the purchasing of property and supplies, and that would be the end of the budget. We would not have to do anything further. We would not have to worry about institutions, welfare or anything else.

Senator, can you tell me, and I wish you would allow yourself to be interrogated on this point, how much the population of this State has increased in the past year? I will not take 1954. Let us take this past year. Do you have any idea?

Mr. CONFAIR. I am not informed on that, sir.

Mr. WEINER. All right, sir, May I say to you that there has been a three per cent increase.

Mr. CONFAIR. How many is that, please?

Mr. WEINER. There were ten million people in the Commonwealth at that time, and if you will take three

per cent of that, you will see what the total increase is.

Mr. CONFAIR. Well, I—

Mr. WEINER. Might I also ask you, sir, whether you, in your own business, have increased the salaries of the people employed by you? I know that you run a very successful business.

Mr. CONFAIR. Yes, I have.

Mr. WEINER. Have you increased the number of personnel working for you?

Mr. CONFAIR. No, not consistently; only when it was necessary.

Mr. WEINER. Have you added even a single person?

Mr. CONFAIR. Oh yes, yes.

Mr. WEINER. Have you added more than two persons to your payroll?

Mr. CONFAIR. Yes.

Mr. WEINER. Percentage-wise, how many would you say that you have added in your business?

Mr. CONFAIR. Two per cent, the man said; two per cent.

Mr. WEINER. I am asking you. The man does not run your business. Would you tell us how many people you have added?

Mr. CONFAIR. I would say two per cent, yes.

Mr. WEINER. Just two per cent?

Mr. CONFAIR. Yes.

Mr. WEINER. How many people have you working for you, sir?

Mr. CONFAIR. Fifty-two or fifty-three.

Mr. WEINER. How many people have you added?

Mr. CONFAIR. About two or three.

Mr. WEINER. Just two or three. Now if you have a fifty-man business and you add two or three people, I think you will find that is a little bit more than two per cent.

You are one of the exponents and I think one of the platforms on which you ran for office was the proposed Keystone Shortway. I think you have advocated this, and I admire your courage and your skill in going after this thing. Where are we going to get the money to do this if the Department of Property and Supplies alone spends \$800,000,000 and if education costs \$800,000,000? We will not have any money at all to do this job. Would you introduce legislation to take care of this?

Mr. CONFAIR. Mr. President, may I answer his question? I am only taking the word of the Secretary of Property and Supplies. You are talking about the budget which is \$80,000,000. It could not be \$800,000,000. He purchases—

Mr. WEINER. Excuse me, did you say it could not be \$800,000,000?

Mr. CONFAIR. That is what you said.

Mr. WEINER. No sir, you said it.

Mr. CONFAIR. All right.

Mr. WEINER. You stated \$800,000,000. Now are you saying it could not be \$800,000,000, or are you saying it is \$800,000,000?

Mr. CONFAIR. May I start all over again, please. I say that your Secretary of Property and Supplies said that he purchases for all departments. He purchases for every department—Highways and every department on this Hill—and his total was \$800,000,000. Am I one to question him? He is an honest man. Would you question him?

Mr. WEINER. Yes sir, Mr. Confair. I not only questioned

him, but I brought this to his attention yesterday about the article in the Williamsport paper, and he advised me that he was not only going to write a letter to the paper, but he was going to write you a letter advising you how wrong you could be about the situation. He also stated to me that he had not had any conversation with you along that line, whether the amount was \$800,000,000 or any amount.

I am not saying that you had no conversation with him. However, I would like to know if you would tell us—and I am sure that you are a businessman and a thinking man—if the total Governors' budget is only one billion six or seven, how the Department of Property and Supplies could spend \$800,000,000?

Mr. CONFAIR. How about the General State Authority? He buys for them.

Mr. WEINER. Does he buy for the General State Authority?

Mr. CONFAIR. Not much.

Mr. WEINER. Oh.

Mr. CONFAIR. However, he does buy for the Highways Department. You are just talking about the general budget. Take all of the budgets together, all of the different departments he buys for which are not in the general budget, and add those together. I have seen the man. He told me that. Listen—

Mr. WEINER. Mr. President, might I advise the gentleman, and I do not want to limit his debate or discussion, that we are only talking here about House Bill No. 2326, and Senator Silvert and everyone else here have been discussing the administrative budget of the Department of Property and Supplies? If you want to get into the General State Authority, the Highways Department and the rest of it, I will be very happy to do so.

Mr. CONFAIR. Sir, I did not bring these things up. You are bringing them up. I do not want to discuss them. I want to talk about this department. You are the one who is bringing all of these things up. I did not.

I will talk about this department. We have raised them. We have given that department over \$1,000,000 more than they had in the last biennium.

Mr. WEINER. Sir, to whom are you giving \$1,000,000?

Mr. CONFAIR. The net increase in the State appropriation to the Department of Property and Supplies is \$1,581,000. Do you want me to show you the figures on it?

Mr. BARR. It is \$10,000,000.

Mr. WEINER. What are you speaking of now? Are you speaking of administrative expenses, payment of rentals or which phase of it?

Mr. CONFAIR. This is just administrative expenses. I can understand the payment of rentals. You say \$10,000,000, but when you go back to the rentals, I understand that we are paying more rentals this time, and we deducted \$1,050,000 for the rentals.

In the administration, about which I am speaking, you have approximately \$15,784,000, and the amount available for the 1957-1959 biennium was \$15,499,000. You deduct that from the total amount which was appropriated. The only thing which we cut was \$702,575. That is all we actually cut off.

Mr. EHRGOOD. Mr. President, in the interest of being fair and for Senator Silvert's information—

Mr. WEINER. Mr. President, has Senator Confair finished asking questions? Has he now yielded the mike to

Senator Ehrgood? The last speaker was Senator Confair, who was having some difficulty with figures. Now is he yielding the mike to Senator Ehrgood?

Mr. CONFAIR. In all of these figures, we have just been emphasizing how much the department buys. However, I will yield to Senator Ehrgood.

Mr. EHRGOOD. Mr. President, in the interest of being fair and for information's sake, this is just to clear up at least one matter in this debate on General State Authority rentals.

The information whereby we cut from \$43,500,000 to \$42,500,000 for General State Authority rentals came from the Executive Director of the General State Authority, Mr. Caruso.

For Senator Silvert's information, the same information was given by Mr. Caruso to the Governor's Office. I have just checked that, and I am sure that the Governor's Office knows that as well as we do, and I do not think there should be any insinuation otherwise.

Mr. WEINER. I would like to explain to Senator Ehrgood—and I have taken this matter up with responsible people or the people who should know—that this amount of money, this difference, was never transmitted to the Governor's Office, nor was anyone in the Governor's Office informed about it. As a matter of fact, the figure of \$43,000,000 that you were speaking about came through the Executive Director to the Governor's Office. They took this figure and used it as their basis. This was also used in the House Appropriations Committee, and no one ever mentioned it there. The first time we had any word of it at all was when this bill came out and we found this cut. We do have an amendment which we are not going to introduce.

We were saying that if there is one set of figures for the Democratic people and there is another one for the Republican Members of this Chamber, we would like to know about it. I think we should be informed either by letter or by having the gentleman appear in person and tell us. We are not interested in giving him any more money than he feels he needs.

Mr. EHRGOOD. Mr. President, I concluded a telephone conversation with Mr. A. J. Caruso approximately fifteen minutes ago. A letter was sent to Senator Stevenson. A similar letter was sent by the Governor's Office, as stated by Mr. Caruso. I assume that probably the Governor's Office gets many letters, but if they pay no attention to them, then that is another matter. However, I do believe that we should at least take the word of someone who is in authority on this matter.

Mr. WEINER. The Secretary of the Budget, Mr. Baldwin, is standing right behind me, and he advises me that he has not received such a letter, does not know anything about it and the first he learned of it was in this discussion here because I questioned him on that myself.

I would like to suggest to the gentleman that perhaps we should be at ease and bring up the Secretary of Property and Supplies and find out where this \$800,000,000 figure came from. Let us also bring Mr. Caruso over here and find out from him whether he ever sent this letter. Let us get a copy of it, if it was ever sent to these people. I certainly think it puts us in a rather odd position if we do not have this information and it is not available to us. If it did come to Senator Stevenson, and I am sure that it did, I am sure he would have read it to

the committee had he seen fit to do so or had the committee been in session. However, not having that information and learning it here for the first time, Senator Silvert was correct in stating that we knew nothing about this thing.

I will be very happy to be at ease to bring these people over here. Let us find out where these figures are coming from.

Mr. EHRGOOD. Mr. President, I am sure the Minority Leader has enough aides, and certainly the Budget Secretary has enough aides, to go check with Mr. Caruso. Why does he not do that? I did it, and I am sure he can do it. If the left hand does not know what the right hand is doing in the Governor's Office of this Commonwealth, it seems to me somewhat peculiar.

Mr. WEINER. I not only want to show what the right and left hands are doing, but perhaps we should give the back of one of those hands to some of these people who are not doing their job properly. This might be a good time to find out who is to do that. I think this should be a matter of information for the entire Senate, rather than for any one individual to have to run around and find out these different problems. I think a telephone call should be made to ask this gentleman to come here. After all, he is a creature of our making; not we of his making. I think he has a perfect right to report to this parent body, when he did not give us information without us playing Charlie Chan and trying to find out who gave what to whom.

I think the Secretary of Property and Supplies should be brought up here so we can learn whether he ever gave this figure to Senator Confair, and if he did, the basis for it. If he did not, I would also like to know that. I think everyone here should have that information.

We do not have time to be playing errand boy, running around to find these people. It takes too much time. We have more important business to transact.

Mr. LANE. Mr. President, I agree with Senator Weiner. I believe some of these arguments here are as phony as a three dollar bill. There is an inference here now, and I believe that we should have His Honor, Mr. Caruso, come up here. Also, let us have the Secretary of Property and Supplies clarify a few of these phony arguments. It is just like this phony budget. After reviewing it, I think I can tell you that there is a very little increase in this budget this year.

Therefore, let us have them up here and clarify it now.

Mr. BARR. Mr. President, I just checked with the Department of Property and Supplies, and I found that the Secretary has left in his car from the Health and Welfare Building and is coming to the Capitol. I have got a tracer out to have him up here. I am attempting now to phone Mr. Caruso and ask him to come over here, because I am not going to stand idly by and have Senator Confair use an erroneous figure of \$800,000,000 and put things like that in the Williamsport Sun.

I, for one, will keep this Senate here over night, if need be, to prove to him the fallacy of the story he put in the Williamsport paper.

Mr. BERGER. Mr. President, I am not familiar with any story in the Williamsport paper, but I assume the quotation therefrom, read by the gentleman over there, is correct.

We are discussing the budget of the Department of Property and Supplies. The unassailable fact remains that in this appropriation bill and on the item that we are discussing, there is an amount of \$10,843,150 more appropriated in this bill than was appropriated to and spent by the Department of Property and Supplies in the preceding biennium.

The question before the Senate is whether these appropriations are adequate for the conduct of the departments for which they are appropriated. Mr. President, I submit that this is the issue here and no other.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, will the Majority Leader advise the Members of the Senate whether you are now saying, sir, that you agree that our figures are correct?

Mr. BERGER. Mr. President, I am not stating any such thing. I have not had access to their figures. However, I will say this. When these figures were submitted to the gentlemen over there, I understand they had the services available immediately of no less than fifteen accountants to go over them very carefully and to submit their findings. I have no doubt they did an excellent job. I also believe that the people who worked on this subcommittee and presented these figures and prepared these amendments to the appropriation bill did an outstanding job.

We have no facilities whereby we can contend with fifteen accountants, drawn from the various departments of the Hill, but we do submit that in this particular item the sum of \$10,843,150 more has been appropriated to that department than they had in the last biennium, which we regard as being amply sufficient even to add additional personnel.

Mr. WEINER. Mr. President, I am sorry they do not have the benefit of fifteen accountants, but I understand they have some pretty high priced consultants, to which we do not have access. Will the gentleman tell us the amount spent last year by the Department of Property and Supplies?

Mr. BERGER. The amount spent by the Department of Property and Supplies, Mr. President, appears to have been \$47,079,453.

Mr. WEINER. That includes the rentals, does it not?

Mr. BERGER. I do not understand the question.

Mr. WEINER. Well, the Department of Property and Supplies also pays—

Mr. BERGER. Well, the rentals to the General State Authority—

Mr. WEINER. That is included in that?

Mr. BERGER. That is correct.

Mr. WEINER. All right, sir. Now in the figures that you are looking at, and I am using your figures, is there any amount in there or any place in there where you see \$800,000,000, and I am speaking just of the last biennium, not this biennium?

Mr. BERGER. Mr. President, the amount of \$800,000,000 does not appear in the appropriation bill.

Mr. WEINER. Mr. President, would the Senator please advise us if in his term here in the Senate—and I am not referring to last Session but the previous Sessions

when he has been here—there has ever been an amount of \$800,000,000 appropriated for the Department of Property and Supplies?

Mr. BERGER. No, Mr. President. There has never been \$800,000,000 appropriated to the Department of Property and Supplies.

Mr. WEINER. Have they ever spent \$800,000,000 since you have been here, Senator?

Mr. BERGER. Mr. President, I cannot answer that question. I doubt very much whether the gentleman who asked it could have answered the question prior to receiving the information which has just been handed to him.

Mr. WEINER. Senator Berger, I hope you will forgive me if I qualify you as an expert on these matters, but using your experience since you have been here, has it ever come to your knowledge that the Department of Property and Supplies has ever spent \$800,000,000 in any given biennium?

Mr. BERGER. Mr. President, I do not recall that the subject has ever come under discussion before, as far as I am concerned.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated?

The PRESIDENT. Will the gentleman allow himself to be further interrogated?

Mr. BERGER. I would, Mr. President, provided the questions are not within the purview of assertions that the gentleman is able to make from information at his disposal. I submit that I am at all times willing to be interrogated on legislative matters, but, in common with a number of other people, I would say that the course of the interrogation rather transcends the ordinary legislative debate.

The PRESIDENT. The gentleman may proceed within limitations.

Mr. WEINER. Mr. President, will the gentleman please advise us if there is in this budget that is before us at the present time—and I know he has made a careful study of it—\$800,000,000 for the Department of Property and Supplies?

Mr. BERGER. Mr. President, I do not know how you beg a question that you put yourself. At the same time, I want to submit to the gentleman that the amount of \$800,000,000, which has been spoken of her, whether it is \$800,000,000 or what have you, refers to purchases made by the Department and not money appropriated to the department.

Mr. WEINER. Mr. President, will the gentleman allow himself further to be interrogated?

Mr. BERGER. Within the limitations I previously stated, Senator.

Mr. WEINER. Will the gentleman please advise the Senate if there is no such money appropriated, where would the Department of Property and Supplies obtain this money to make these purchases?

Mr. BERGER. That is easily answered, Mr. President. These purchases are made on behalf of other departments from money appropriated to those other departments. The Department of Property and Supplies is the agency that makes purchases on behalf of all of the departments, I believe, including the General State Authority or not.

Mr. WEINER. Will the gentleman please advise the Members of the Senate whether there is such money in

the budget today, excluding the Department of Public Instruction which does not make most of its purchases through Property and Supplies—\$800,000,000—for them to make any purchases for any of these departments?

Mr. BERGER. Not in the general appropriation bill, Mr. President, nor in the revenues available to the State for general governmental purposes. However, there is a large amount of money available to the Department of Highways which does not appear in this budget. There is a large amount of money available to the General State Authority which does not appear in this budget.

Mr. WEINER. I want to thank the gentleman.

Mr. PRESIDENT, I also want to advise the Members of the Senate that the total amount of money appropriated to the Department of Highways, in which the Department of Property and Supplies participates in purchases, is only \$30,000,000. The total amount actually purchased by the department, and which is in their budget, is \$80,000,000. How this becomes \$800,000,000, I do not know. If it is a figment of someone's imagination, I think the least they should do is correct this misimpression here. I think it casts a bad reflection on the department head and on the Cabinet Officer. I do not think anyone would find it amiss, if the gentleman did err, for him to advise us of his error. I think that would be the gentlemanly thing to do because we have always operated in that manner.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, does the gentleman's figure of \$80,000,000, include all purchases made by the Department of Property and Supplies for all of the departments and agencies of State Government, including the Department of Highways and others that are not represented in this appropriation bill?

Mr. WEINER. This \$80,000,000 figure, sir, which I just gave you, represents the total amount of purchases made by the Department of Property and Supplies. Not only am I saying this, but the Secretary of Property and Supplies, in answer to Senator Confair's statement in the Williamsport newspaper, has said the very same thing.

I know I would like to get to the bottom of the matter and find out who is not telling the truth here. We can very easily do that by having the Secretary of Property and Supplies come up. His books and records are kept in order. They are audited by the Auditor General who, certainly, is not a member of the same political party as he is. In that way, we can ascertain the truth of this matter just by two simple telephone calls. If there is an error, I think we should correct it and I think it should be stated here on the floor. The misimpression left in people's minds, if at all possible, should be cleared up here in the Senate, the same way it was created. Forgetting about the other political consideration, the \$800,000,000, I am sure all of us realize here, cannot possibly be a correct figure.

Mr. BERGER. Mr. President, the gentleman having answered my question satisfactorily, as far as I am concerned, I have no further interrogation.

However, I might make the comment that in so far as the budget figures are concerned here and the use

of the money, again I point out that the amount available is over \$10,000,000 more than in the prior biennium. Also, in so far as calling another witness, if the gentleman wishes to put it that way, I include that in my statement regarding interrogation; that within the bounds of legislative debate, interrogations are proper.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. Depending on the question and the form of the question, Mr. President.

Mr. WEINER. Senator Berger, would you advise the Members of the Senate whether this increase for the Department of Property and Supplies also includes increased rentals on the new buildings which are now open and operating and which were not considered in the 1957-59 budget?

Mr. BERGER. Mr. President, I assume that the gentleman has ample information to answer that question himself. However, I believe that the amount of rentals provided here are projected for whatever necessary rentals must be paid on behalf of the General State Authority for the next biennium or what remains of it.

Mr. WEINER. I want to thank the gentleman, Mr. President.

Mr. President and Members of the Senate, I would like to inform you that not only is the figure which Senator Berger gave you as an increase in the Department a correct figure, but it does not go far enough. In stating that the rentals are increased, the amount of the rentals are greater than they have been in the last biennium. On that basis, the increase is not a proper reflection of what is being given to the department. We must, under the law, pay these rentals. If you do not pay them, you are violating the law. Therefore, the increase may be there in figures, but the purpose of the increase should be thoroughly investigated.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SILVERT and Mr. SEYLER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I now offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The Clerk read the amendment as follows:

Amend Sec. 2, page 29, line 9, by striking out "\$527,885,138" and inserting: "\$531,051,488".

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President and Members of the Senate, this is sort of a change of pace. I would not mean to imply that the Department of Property and Supplies is not an important phase of Pennsylvania government. However, this amendment deals with children and people, and this is what makes Pennsylvania great. This has the possibility of making Pennsylvania great.

This particular amendment has to do with the amount of money appropriated to school districts in the support of education, specifically for what is known as teacher units.

In my boyhood days, there was a saying in my family about paying for a dead horse. I am not very well qualified to speak on the value of dead horses or live horses. I defer to the gentleman from Delaware on this question. However, most of my remarks will deal with the fact that we, during this Session, are paying for a dead horse to the extent of \$74,000,000. A great deal of that, I understand, lies in the Department of Public Instruction.

As I see the situation today, the Senate has at least a two-fold responsibility before it. We have the choice of selecting, making a choice between two sets of figures. One set is provided by men and women who work each day, every day of the year, and many of them for many, many years, at the very matters with which these figures are directly concerned. On the other hand, we have another set of figures submitted by twenty-eight men or their leaders. They are all sincere and dedicated men also, but men who do their work and make their decisions, frequently without full consideration, and, oftentimes, in the light, heat and smoke of a political caucus. They meet and consider these matters relating to children with the publicly announced purpose, before they start, that \$100,000,000 must be sliced from the budget, and men who, in addition to this problem of public education, have great concerns in other fields of government also. Since we appear to have but two choices in these matters, chance would say that each group would have a fifty-fifty chance. However, my Senator friends, this is not a matter for chance. This is a matter affecting our lives in our time and, more particularly, the lives and happiness of our children and our children's children. Now remember that each of these two groups, in the preparation of these figures known as the budget for education in Pennsylvania, take and apply the same set of rules. The rules for these computations are the laws, the mandates which govern the answers that appear. That is one phase of the responsibility faced by this Senate today.

The other phase deals with a more elusive aspect, not cold, mathematical formulas and equations, but it is a matter of the spirit which is somewhat removed from mathematical computations. Pennsylvania and the Nation have just been visited by the leader of the great challenge to the American way of life. I believe that the great majority of this Body believes that in the final analysis the winning or losing of this war, cold, lukewarm or hot, rests largely with the effectiveness of the respective educational programs of the two challengers; namely, the U.S.S.R., which devotes over ten per cent of its national income to education, and the United

States, which devotes less than five per cent of its national income to education.

I want to quote two paragraphs from that well-known publication, the Philadelphia Bulletin, in a recent issue. The article reads as follows:

"... in Washington, the Eisenhower Administration released a highly laudatory report on the educational system built up by Krushchev.

"The report, prepared by Mr. Eisenhower's Office of Education, warned: 'We cannot afford to be apathetic about educational developments in the USSR. Clearly the Soviet Union is bent on overtaking and surprising us as a world power.'

"The official report then went on to say that money is no problem to Soviet educators; that Russia is spending 10 to 15 per cent of its budget on education compared with our five per cent; that laboratory and teaching equipment are excellent, classes small and teachers qualified."

This Senate today has an opportunity and a responsibility to take a bold vote and say to the U.S.S.R., the world, the forty-nine other States and, more importantly, to the citizens of Pennsylvania that education is one matter on which we will do our full best. We should say that we will maintain our best strength by not crippling services so that the path to a more effective program of public education is more easy to tread. We will say by our action here today, to the youth now in school, that we will support public education in such a manner that you will not have to complete with your Russian counterparts with a hand tied behind your back. Since the tax responsibility of the average Pennsylvanian, we are told by the U. S. Secretary of Commerce, is \$81, while that of the average person in the average State of the fifty States is \$91, I hope that this Senate today will say, by its votes, to our sons and daughters that Pennsylvanians are willing to support public education to the degree that one out of three Pennsylvania boys and girls may be in institutions of higher learning, instead of the present figure of one out of four or one out of five, in order for us to even approach in this respect a State like the State of Utah, with one out of two in colleges.

None of us can estimate the boost to the morale of the youth of our Commonwealth, to the school directors of the State, laden with heavy burdens, and to the anxious members of the Congress of Parents and Teachers who, by card, letter, wire and personal contact, implore each of you daily to give better support to public education. If the newspapers tomorrow would carry the headline that the Senate of Pennsylvania refuses to lower educational levels set by the House, this would be a great day. What are some of the conditions of public education in Pennsylvania? I made a very brief but personal survey of school organizations in the two counties which I represent. Here are just one or two findings from this personal study. They consist of conditions as they are in central Pennsylvania and probably not unlike conditions in Pennsylvania in general.

I asked the heads of schools a couple of simple questions; namely, the number of professional employees they have this fall and the number of new employees, those who are new in their jobs. This is a basis, by continuous change in turnover, which weakens any organization.

In one district,—I shall not give the name—there are 145 professional employees, with seventeen new ones

this fall. Out of those, ten have never taught school before. This amounts to over ten per cent. Another district has 64 employees,—these are relatively small districts, but there are many small districts in Pennsylvania—with nine of them new this year. Another one has 146 employees, twelve of whom are new this year. Another one has seventy-five employees, ten of whom are new this year. Another one has 225 employees, fifty-nine of whom are new this year. This should give you some conception of the difficulties under which public education is working today.

Now back to the first phase of the situation and a few background statements.

As Governor Lawrence has so aptly said, "The State Government is very largely a collector of taxes and a distributor of funds from the State Treasury." However, Mr. President, the funds are distributed according to rules and regulations, actually the laws of the Commonwealth, as all of you know. We have mandated that the Department of Public Instruction must pay certain standards. The Department has no discretionary power in most of these cases. Therefore, the problem before us today resolves itself into one of taking the figures of a staff whose sole responsibility is this work, or the figures of twenty-eighty earnest men, with a self announced figure of a \$100,000,000 cut in front of them. This \$100,000,000 figure probably excludes from view of many of the twenty-eight that this budget deals with children, their needs and their future. Does it make any difference which figures we use? In a sense, the answer is "no." If we use the lower figure, the Commonwealth must pay and will pay to every school district the amount earned during the two year period, whether we put it in this budget or not. In that sense, it makes little difference. However, it may make and has made considerable difference if enough money is not appropriated for school districts. If it does not arrive to school districts in time, as has been the case when we undershoot the mark, then hard pressed school districts must negotiate high interest, short term loans to meet their obligations. These are really obligations that we have failed to meet. This adds to the financial woes of the poor districts of the Commonwealth and, thereby, adds misery to misery. It also has the effect on the State level of creating the dead horse situation, at the beginning of the Session. Before we start paying for the current two years, we must first levy taxes to pay for the dead horse of the previous Session. Of course, a more polite phrase, but equally distasteful, is deficit financing. This adds unnecessarily to the tax load of the citizens of the Commonwealth. I think we can all remember this situation earlier in the year, when we discovered that the work of the Senate Majority, in 1957, had cut these budgets which caused some of these deficits. These people are mostly the same people who are here today.

We can all remember two years ago when, at this same stage of deliberations, the Senate Majority agreed on the amount of money that would be required for teaching units. I shall not go into this intricate formula, but I am sure that you know that school districts are awarded money for teaching units. A teaching unit consists of thirty elementary pupils and twenty-two high school pupils.

However, when we came back to this Session, we dis-

covered that the Senate had missed the correct amount by \$9,649,910. Therefore, a deficiency appropriation to that amount, to correct the guess of 1957, was passed and voted for, I believe, by all the Members of this Senate. Despite this experience, so recent, we now find that this same Senate is being asked to accept a \$3,000,000 deduction from the figure that came to us from the House with the approval of the Department of Public Instruction. What does a \$3,000,000 cut mean? This means, Mr. President, that some people are guessing that there are going to be 20,000 less children in Pennsylvania than what some other people are guessing. As I listened to the debate yesterday and today, there seems to be a consistent theme. We are cutting from the Department of Health, which must mean that they expect less people in Pennsylvania; they are cutting from the Department of Welfare and the Department of Public Assistance, which must mean they expect less people in Pennsylvania; and they are cutting from the important Industrial Development Authority. It seems to me a program of this kind is a program saying that Pennsylvania has no future. Twenty thousand children are going to be short in Pennsylvania. I doubt if the Majority in this Senate believe that Pennsylvania is on the way down.

The Senate today seems to have a clear-cut choice. It can either accept well thought out estimates of needs, to comply with existing law, or continue the phony budget balancing which was practiced two years ago and, I understand, some years prior. Is it not about time that we face up with the financial facts of life, anticipate all our bills and pay our bills on time? In this way we could avoid some interest charges and stop the too long trend of deficit financing in Pennsylvania. The best place to start is here and the best time is now. The Majority Party in this Senate has, I am sure, carried with pride the three-letter symbol "GOP." I think this is a proud symbol for most or all of them. However, it seems to me that another financial deficiency in 1961, like we had when we came back in 1959, will cause some people to rechristen your Party as the Party of the three "D's,"—"Deficiency, Delay and Deceit."

Mr. President, I ask my colleagues to vote for this amendment, restoring \$3,000,000 to the teaching unit budget.

Mr. MAHADY. Mr. President, at this time, I want to congratulate Senator Hays. He is always a breath of fresh air.

Sometimes it is incumbent upon us not to do the political thing, but to do the thing that is right. Perhaps, because I am new here, it is with hesitancy that I call a fact a fact. I have heard arguments about what facts are this morning, when the fact is easily ascertainable and close at hand. However, I think I would be remiss, even though it is unpolitical to do so, to not call attention to several things this morning.

Jo Hays, when he talked about a dead horse, was so correct. We came in here and voted for \$74.5 million in a deficiency appropriation. We know that because of the so-called recession we had a \$67,000,000 loss of revenue. Those two figures added together gives you the \$141,000,000 deficit. One-half of this deficit is caused by what you are doing today. It is the deficiency appropriation for two years hence. It is sleight of hand. It is budgetary trickery. There is no question about it.

Now let us talk about the conservative side. There are two items in this budget, and if I were not new, I would insist upon an amendment. In fact, for one of them, I had it prepared. I had an amendment prepared for page 30 of the bill, stating that the \$4,755,100 should not be spent for closed schools. We are paying and kidding the public by paying practically \$5,000,000 for schools, some of which were closed twenty years ago.

Who is kidding whom, and why? A slight inquiry brought to my attention the fact that Governor Leader's administration tried to eliminate this item, and the bill died in this Body. If we are going to pay out \$5,000,000, let us put a proper label on it. I certainly cannot see why we should stand by and pay for closed schools. On the face of it, it does not make sense. I have not had time to do the proper research on what the proper amendment is here. Perhaps it should be done gradually, rather than take the chance of taking a flyer which would not be quite the right thing.

It is a fact that we did have and do have an Appropriations Committee in this Senate. That Appropriations Committee did not function. Three men were given the right—and under what authority, God only knows—to make cuts, and they came in here and refused to say why they did it or what items they cut. I say, why did they not study this item? Where was their report? There was no Member from this side of the Senate that I could go to and say, "What is this \$4,755,100 doing in here and why is it not eliminated?"

No, they did it secretly, in the dead of the night, and hid back when they were questioned, saying, "We are not going to tell you," like little kids. "We know something you do not know, and we will not tell you." That is the approach we are using to run this State.

The people are not dumb. Our people are people who know what they are doing and they do want the facts. Hiding the facts from them on the idea that "We know what is best for you" certainly is not the basis for an intelligent debate or an intelligent basis upon which to found a budget.

I also draw your attention to something that has two wrongs to it, and that is on page 26 of the bill. We have an item for approximately one-half million dollars, \$477,196, for payment of rental charges to the General State Authority for capital improvements at State-aided educational institutions.

I say it is wrong, either one way or the other. The General State Authority rentals are already handled by the Department of Property and Supplies and well handled. Here we have two items totaling that amount where the rentals are paid by the Department of Public Instruction. Where you make an estimate of these rentals in the Department of Property and Supplies, if they are over on one or under on the other, they can make it up. Here if they miss, there is a deficiency. I say to you, what about this problem? Why should we be paying this? We gave them the credit of the State to allow them to build new buildings. We own the land. What is going to happen when this is all over? They own the building and we own the land. What is the outcome of it? Why was this done? I say on both points, it is wrong.

Again we get down and we find them fooling around in the dark of the night, but where there is necessity of action, they have not acted. They have said, "We are

the three who will cut. We want no truck with you. We will not even talk to you. We will not tell you why we did it, or what we did, but here is the result. Take it or leave it. We have twenty-eight votes that do not vote on conscience or on fact. We just vote."

Mr. LANE. Mr. President, last week, when these figures were released to the public, a number of papers in my locality carried the information that the Senate Committee had increased the budget of the Department of Public Instruction by \$74,000,000, all of which, of course, is misinformation.

For the information of the public, I would like to quote these figures accurately and I hope you will take them down accurately:

Public Instruction received actually in the 1957-1959 biennium a sum of \$786,920,244; recommended by the Governor for the 1959-1961 biennium, the sum of \$844,963,521. The Senate of Pennsylvania, according to this figure, recommended \$861,090,978.

Mr. President, what I wish to call to your attention is the figure supplied us this morning in regard to deficiencies. I have marked them out here.

The budget cut on teaching units, according to these figures, is \$3,166,350. However, in the 1957-1959 budget, there was a deficiency amounting to \$9,649,910.

We go on down and we find that on transportation, there was a budget cut of \$1,000,000. However, there was a deficiency in the 1957-1959 of \$2,650,000.

Then we come to supplemental payments for unions and jointures of school districts. We find there was a budget cut of \$432,500, and if you please, there was a deficiency in the 1957-1959 of \$765,873.

Speaking of closed schools, there was a budget cut of \$144,900, and there was a deficiency appropriation of \$140,000.

In regard to extension education, there was a budget cut of \$500,000, and there was a deficiency in 1957-1959 of \$772,000.

To me, and I believe even the Members on the other side will admit, their figures are very, very misleading. I have often wondered and I talked on this floor quite a number of times yesterday in regard to exactly where all of the cuts were being made. We have limited information as far as the budget is concerned on Public Instruction. Nevertheless, the fact remains that what they are trying to do, in my opinion, is economize at the expense of public education.

I recall not too long ago a Member of this Body, Senator Whalley, was on the rostrum. He talked about his visit to Soviet Russia. It was a wonderful speech. I might say that, in my opinion, it is one of the best speeches I have ever heard, and that man is a Member of the Majority Party. He mentioned in his speech quite emphatically, Mr. President, the way Soviet Russia is going about with the education of their children. I think all of us agree that he was very well informed on that particular subject. I thought at that time his speech was quite apropos. I thought it was very appropriate, because we were coming to the period when we were going to allocate money for the education of our children.

I thought, too, Mr. President, that Senator Whalley would more or less be on the side of the liberals in making sure that we have the funds to educate our children.

I do not know how he is going to vote. I have no idea. However, it seems to me that we should surely practice what we preach.

I realize that the Republican Party in Pennsylvania is trying to make a record. I might say to the gentleman here today that I think they have done some very fast foot work. We have done a mighty good job as far as taxes are concerned, but when it comes to cutting the budgets of essential portions of government to the extreme, it seems to me that we are shortsighted.

I do not suppose anything I say is going to change anything here. However, I do say this to the Members of the Majority Party. You are stepping on the wrong toes when you take away funds for public education. I think a number of great men have often said that where education is concerned, it has priority over anything else because it is a broadening of the mind. It means that the individual will be able to go out in this world and do a job not only for himself, but for the people. Without education, we would be lost. If we did not have the great leaders in the nation who are well educated and have a grasp of all of the problems, we would be lost now against our Soviet enemy.

I have always admired the men in the Foreign Service for their broad viewpoints, which they acquired through extensive education, if you please. Here we are being shortsighted by cutting the budget where it is essential that we have it in there, and cutting the budget on something which is going to come back to haunt us. Therefore, I plead with the other side here today, to let us review our position on public education and do something for our children and our children's children.

Mr. EHRGOOD. Mr. President, that was a very fine speech by Senator Lane. There is only one difficulty. No mention was made of the Senate increase for special education, and the "shortsightedness" that Senator Lane is belaboring should be perhaps pointed at the Governor's office.

Now the facts are, as the Senator well knows, that there was a deficiency of \$6,000,000 in the last biennium for special education, and that, as a result, \$18,150,000 was spent for special education. We all know, and it was testified to in our Public Instruction Hearings, that the expensive part of special education is coming along. The Republican side of the Senate, recognizing that, increased that appropriation for special education because they did not want the built-in deficit that the Governor evidently thought would be occurring here.

Therefore, I would say to Senator Lane that the arguments could be well used in reverse.

Mr. WAGNER. Mr. President, my heart always goes out in sympathetic interest to anyone's speech on behalf of the boys and girls in Pennsylvania and our public schools. I have stood on this floor many times over fourteen years during seven Sessions. We have argued sometimes with the gentleman on the other side about the distribution of subsidies, but I have never belabored them, to my knowledge, and I think the record will show it. As to their sincerity in their interest in education, or as to their genuine concern for the Commonwealth and its children, there was a grand speech made this morning at the outset of this when the amendment was offered for boys and girls. It is just unfortunate that it wound up as a springboard for accusing the Republican Party

of being the party of deceit so far as education is concerned.

I submit that it might be well to take a course on how to make friends and influence people. If the genuine desire is to enrich the school program and to get the Republicans to join in further enrichment of it, since the Republicans are in the majority in this Senate, it might be well to be a little more kindly on the approach, rather than hurl charges of deceit and deception and trickery.

I would submit to the people of Pennsylvania the record, so far as these vast public school programs are concerned, and ask under what administrations these programs were launched. The programs included the matter of jointures and union districts; the matter of school buildings and participation of the State in payment of those buildings. Certainly many Democrats, some of whom are in their seats today, have fought valiantly and helped immeasurably to accomplish this. However, in the fact of the political record, if you want to call it that, of performance so far as education and school children are concerned in Pennsylvania in the past fourteen years, I submit, Mr. President, to all who are interested and who care to listen or to read, that the Republican Party need make no apology, and is certainly not fairly subject to derision and to accusation on this floor.

During my fourteen years here, I have not experienced one Session when I was not importuned to help to restore appropriations. Appropriations are always suggested. Some figures are always altered. Some changes are always made in everybody's budget. I do not think any were ever made more drastically than under the recent Governor Fine. However, when these things would happen, because I was Chairman of the Education Committee, before I became a Member of the Appropriations Committee, friends of education would come to me to intercede to see what measure of restoration I could achieve for these various budget items.

I have been around here since this budget was talked about and these appropriations were adjusted. Up to this moment, Mr. President, I have not had one representative of the State School Directors' Association, I have not had one member of the Pennsylvania State Education Association come to me and accuse the Republicans of doing anyone dirt so far as these public school appropriations are concerned.

They are the ones, Mr. President, who have always been first to raise their voice in protest if something were out of order.

I would like to address myself not so much to the speech that was made. There was a lot of talk about dead horses, the oldest and the deadest horse of which is the \$141,000,000 deficit left by our previous governor. I assure you that was not due entirely to cuts in appropriations. It was due to the addition of thousands and tens of thousands of employees in the State over and above the number that had been engaged prior to his Administration.

However, regarding the speech which Senators Hays and implied that it was neither founded upon good education in offering an amendment dealing with reimbursement for instructional units, in which he takes us to task for reducing because he said it was an educated guess,

tion or upon a high I. Q. perhaps of those who were educated in the figures, I would like to say to the gentleman and to his associates on the other side that those cuts came from the figures supplied by the Department of Public Instruction. No matter how educated, Senator Hays, there has to be a certain amount of guessing, as you know, when you estimate school costs.

The Department of Public Instruction, as recently as the time when they compiled the figures for this budget, estimated that 1959-1960 there would be 68,432 units of pupils at a reimbursement cost of \$3,799 per unit. They estimated 70,030 units for 1960-1961 at \$3,799 per unit. Comes June of this year, not a much later date, and the research department that is supposed to give accurate figures rather than educated guesses in the Department of Public Instruction found that their figures had originally been 69,257 units, which, subtracting the 68,432 which they now state are the most accurate figures they have, makes a difference of 825 units less.

I submit, Mr. President, this is a pretty serious business. This takes a terrific chunk from our budget and from our taxes. We cannot afford to appropriate money for 825 units of pupils who probably will not be with us in 1959 and 1960.

This started with the House. There were eight millions of dollars reduced in the House. Then another discovery was made. A discovery was made, Mr. President, that for the 70,030 units of reimbursable units eligible for subsidy, the department revised their figures downward \$45 per unit, which multiplied gives you \$3,151,350 and is the reduction in the item which Senator Hays is trying to amend this morning.

I have no criticism of Senator Hays' tremendous interest in this because, as he knows, I share it with him. If he felt this was arbitrarily cut out from that appropriation, I, of course, can understand why he got excited about it, although I am sorry he got excited to the point of calling us deceitful.

I submit, Mr. President, if the Department of Public Instruction is right—I have faith in them and I am not chiding them because these figures were too high. I give them credit for conceding, after they were pressed a bit and did some re-evaluating, and coming up with a different figure. The savings which they now find are in order, as compared with their original estimates for the budget, amount to the sum of money which Senator Hays wants to restore to the budget and which I do not think is necessary. For that reason, I would advise the men on both sides to vote it down.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman that I think he is sincere in trying to cover the area. However, the P.S.E.A. and the P.S.D.A., the Education Association and the Directors' Association, are hardly what you would call nonpartisan groups. I think they have their political leanings and I think they are pretty well defined. I think most people recognize what they are. When they did not take any position at all on the Tax Equalization Board's action and in other areas of education where they should have been an impartial party but, instead, looked for the political implication and moved from that point on, I hardly think they would be the proper people to cite as any kind of authorities on any kind of problems involved.

I would just like to point out to the gentleman that

although he and Senator Ehrgood spoke about the increase to the Department of Public Instruction, the Governor's Budget called for \$884,000,000. The amount actually given in the last biennium was \$786,000,000. When you say that you have cut this amount which the Governor has asked for, by the amount that you did, actually by \$23,000,000, and you say you have given an increase of \$74,000,000, you are not giving a true picture. In a sense, you are not saying the \$74,000,000 is an increase over the 1957-1959 recommendation.

I am sure we all recognize that the cost of living has gone up. Schoolteachers are demanding more salaries. Schoolteachers, at least, want to be put on a level where they are being cared for and being handled in the same manner as the other people who live in our economy.

The gentleman who just visited our Country, Mr. Khrushchev, who is the Premier of his Country, stated the amount of money that is being spent for education in Russia. He told how they treat their schoolteachers and how they are given preferential treatment. I hardly would think this is the kind of thing which would be done in a socialistic economy. Senator Whalley, in his very fine presentation in discussing Russia last week, went on to point out how these gentlemen who educate the young are treated, how they are cared for and how they are given preferential treatment. We are not even beginning to meet the problems. The average salary or income to schoolteachers is very low. The fact has driven many, many of our young people out of the profession. In Philadelphia, they have a great deal of trouble in filling the positions. I am sure this is not just peculiar to the city of Philadelphia. They are taking people who are not particularly well trained, but they are taking the best they can get in order for their classrooms not to go empty for want of teachers. We are having many, many problems which have been brought on by our lush economy. We are having more juvenile delinquency, which is not brought on by the school system or any one factor. It is brought on by a number of factors. We are not being realistic. I do not think that economy is the type of thing we are seeking. I think the thing we are seeking is to build good citizens and educate them properly so that they can take their place in this world.

I think one of the things we should constantly bear in mind, especially in this area, is the challenge which has been thrown on us by Russia. Russia says that she not only wants to equal us, but wants to surpass us. This is one of the areas in which we are being challenged.

Therefore, Mr. President, I think we should be very careful and scrutinize our monetary problems very carefully before we take any action in any direction which might be harmful to the future.

Mr. HAYS. Mr. President and Members of the Senate, I want to make a couple of brief statements which I think are facts.

I know that it is true that the Department of Public Instruction revised their figures in this area since last January. These revisions, I am reliably informed, were made on the basis of additional data available for the year 1958, which was not available in January or whenever these original figures were given, about which Senator Wagner spoke.

I think it is also a fact that no data has come, no change or revision has come from any branch of the De-

partment of Public Instruction since the House passed this particular appropriation, which the Senate has reduced a little over \$3,000,000. I can only say that the record shows that two years ago, we rationalized about this same way and we cut this phase of the budget. I cannot tell you the exact amount, but I do know that last January we were \$9,000,000 short.

Therefore, Mr. President, I do not think Senator Wagner and I can resolve this problem until January 1961. Then if this cut goes through and no deficiency appropriation is offered, I will eat my hat and apologize to the twenty-eight gentlemen. However, if they come in with a deficiency appropriation of \$3,000,000 or more, then, it seems to me, that we have taken the wrong set of figures. This is the only stand I make.

Mr. WHALLEY. Mr. President, first of all, I want to say that I am in favor of an adequate budget to do the right kind of an educational job in Pennsylvania. It was certainly not my intention to speak on this bill, but they have brought in this Russian situation.

I think as a result of the Russian educational program, Governor Leader asked from 100 to 300 people, about one and one-half years ago, to meet in Harrisburg. At that time, it was brought out that in Russian education, the different subjects, the different sciences, the ten years of mathematics, the four years of biology, the five years of physics, the six years of chemistry, in the first ten years, were compulsory things. They brought out in the educational program that the weakness in Pennsylvania's education was the fact that high school freshmen were permitted to choose their own subjects. In many cases, the brainiest students were selecting the easiest courses. Not over a week ago, I asked Doctor Boehm whether or not anything had been done with that particular item. He apparently was not able to answer me.

Therefore, Mr. President, I am of the opinion that freshmen in our high schools today are still able to select the easy subjects. I do not think it is a case of the Republican Senate trying to reduce this budget drastically for political purposes. Fifty-eight million dollars from \$1,700,000,000, I think, is about a three per cent reduction. I think what budgets of Governor Fine were \$2,600,000,000; I believe they are trying to do is show the public that something must be done to stop this unrestricted spending.

I am not sure of my facts, but I believe that the total budgets of Governor Fine were \$2,600,000,000; I believe Governor Leader's total budgets were \$3,800,000,000, or an increase of about \$1,200,000,000. I believe Governor Lawrence's first biennium budget is about \$2,600,000,000. On the same basis, for the next biennium, it would be a total of \$5,200,000,000, or approximately \$1,400,000,000 more than the Governor Leader budget.

This is the kind of spending that we are going to have to be careful of. I can remember the time when Pennsylvania was the number one industrial State in the Union. Just a few moments ago, Senator Weiner made a statement that Pennsylvania grew three per cent in population last year. I was of the impression that Pennsylvania's population increase was three per cent since 1950 census. As I remember it, California and Pennsylvania were tied in 1950. We have gained approximately 300,000 people, or approximately four and one-half per cent of the total since 1950, while California's increase has been six times as great. New York's increase has been twice as great as

Pennsylvania's. Ohio's increase has been three times the increase of Pennsylvania, and Michigan has increased in population four times that of Pennsylvania. The average of the entire Nation, since 1954, has been ten per cent. Therefore, Pennsylvania is less than one-half the average of the total population.

Senator Mahady made the statement that he was confused with this budget and I, too, have been confused. Personally, I cannot understand why, up until the present time, we have had what they call line budgets. For some reason or other, at this time, we appear to have what they call a lump sum budget. I listened with interest yesterday afternoon to the discussion on the mining appropriation, and I think it was well over \$5,000,000. However, someone got up on the other side and talked about a \$103,000 deduction in mine sealing. House Bill No. 2326 did not show me that. It was a lump sum. I cannot understand the advantage of these lump sum budgets.

To get into House Bill No. 2326, I think you will find on page 36 that the mental hospitals receive a lump sum budget, and on page 26 appear the budgets for State Teachers' Colleges. If there is any particular advantage in a lump sum budget for mental hospitals, why would it not be just as well for State Teachers' Colleges? Someone told me that the Superintendents of the State Teachers' Colleges, when asked about the budget, said that under no consideration would they be interested in a lump sum budget. They said it would only reduce thrift and that under a line budget, they knew exactly what they each had. Under a lump sum budget, if by chance they were thrifty and did not use that amount of money, then some other school which was not so thrifty could come in and take it.

Since I am up here, I might also say that within the past two weeks, Doctor Teller, who is one of the world's most famed brains, a wonderful scientist, a wonderful mathematician, and the man who invented the hydrogen bomb, said that, in his opinion, the United States will never catch up with Russia in education unless we put the same restrictions on our students, with certain compulsory subjects.

Mr. HAYS. Mr. President.

The PRESIDENT. Senator Hays, may I ask that you stay within the limitations of the amendment?

Mr. HAYS. I hope to do that, Mr. President.

I share with Senator Whalley the concern of the rising costs of government. That is the reason why I have submitted this amendment. If he wants to cut the cost of education in Pennsylvania, he cannot do anything on this. The laws are written which tell us exactly how much to pay the districts. He must submit changes in the laws to change the subsidy formula, if he wishes to do this. The simple problem is that we must pay as much as the laws say we must pay. If we underestimate that, we must borrow money at the State level and the school districts must borrow money.

Therefore, Mr. President, I subscribe in the interest of the thing he talked about. It seems to me he should support this amendment.

Mr. WAGNER. Mr. President, I am a great believer in saying your piece and then letting what happens afterward stand upon your declaration. I will try not to make a second one.

I want to observe in the first place that I have no desire

to see Senator Hays eat his hat one or two years from now. I sincerely hope that Senator Hays uses his hat only to throw it into the ring for education and continues to help to advance it. However, I would like to set his mind at ease, if I can, on this particular amendment. I thought I had done it before and now I shall try to do it again.

He stated that the department revised their figures on the number of units for reimbursement and that the House cut the budget approximately \$8,000,000 because of that. He knows that no figures were given out since. He is probably correct, so far as his understanding is concerned, because Senator Hays, even though he is a bit smarter, has no way anymore than Paul Wagner has to develop these figures himself. However, it does happen that for the 70,030 units to be reimbursed in 1960-1961, the Department of Public Instruction, after re-estimating the reimbursement fractions that are going to prevail and adjusting their figures, has certified that \$45 per unit, which they previously asked for, will not be needed as their figures are now projected. If you multiply 70,030 units by \$45, you get exactly \$3,151,350 which, therefore, does not need to be restored to this item of the appropriation. I believe those figures were submitted by the Department of Public Instruction as recently as June 18. They wind up by saying that the \$45 reduction per unit nets a saving of \$3,151,350.

Mr. MULLIN. Mr. President, on page 30 of House Bill No. 2326, on the first two lines, it says as follows:

"For payments to school districts on account of closed schools . . ."

I have been informed that some of these schools have been closed for a generation. I can understand appropriations for schools that are operating, but I cannot understand, to my own satisfaction, why \$4,755,100 should be given to closed schools. It sounds like gravy to me.

Mr. BARR. Mr. President, just as a matter of some information for Senator Whalley, he finally opened up a "Li'l Abner" that I was hoping someone would open up for me.

As I understand it, the reason the State Teachers' Colleges were put on a line budget is because they are given so much per pupil, the same as the medical schools that are aided by the Commonwealth. However, much to my amazement, I notice that the bill has been changed since it came over from the House and the changes and additions that were made occurred just in the Republican Senators' Districts.

Let me name them for you: State Teachers' College at Clarion, in Senator Stevenson's District; State Teachers' College at Cheyney, in Senator Watkins' District; State Teachers' College at Lock Haven, in Senator Stevenson's District; State Teachers' College at Mansfield, in Senator Berger's District; State Teachers' College at Millersville, in Senator Kessler's District; State Teachers' College at Shippensburg, in Senator Wade's District; State Teachers' College at West Chester, in Senator Harney's District. Is that not just ducky?

The PRESIDENT. I think we are getting a little far afield. I have asked the Members to limit themselves to the amendments which is before us. I hope that you will all continue to do so.

Mr. WATKINS. Mr. President, I would like to say to Senator Barr in reference to the Cheyney Teachers' Col-

lege—and I think the other colleges fall under the same category—that I think he will find there were errors made in the budget and that this was agreed upon by the Administration. There was a complete error in the number of students at Cheyney—and I will only speak for Cheyney—and I think the mistake was rectified. I think Senator Barr would concur in that and want to go along with it. There certainly were no politics because, very frankly, they all vote Democratic out there.

Mr. SEYLER. Mr. President, I want to speak on the amendment, but I would like to yield to Senator Weiner.

Mr. WEINER. Mr. President, I do not want to get into a harangue on everything everyone says, but the Secretary of the Budget is sitting right here beyond the rail. I want to make sure we have the facts, because if we are misstating the facts, I want to be corrected. I certainly do not want to vote for anything under a misapprehension or misimpression. He advises me that he knows of no agreement that was ever made to increase any of these State Teachers' Colleges other than what was submitted to the House or the Administration. If this has been done, I would like to know who was the person who gave the authority to do this, because if it is part of the Administration or part of an agreement, I would certainly like to be a part of it.

Mr. LANE. Mr. President, in elaborating further on this Teachers' College business, when we had the budget meeting with the Teachers' Colleges, I must say they did not want a line budget. The reason for that is that they have certain moneys which they must use. In addition to that, they use tuition and fees in order to finance the Teachers' Colleges. However, the Administration has allowed a certain amount for students. I talked with Mr. Baldwin just a little while ago because I had gone over the budget and noticed the changes in the various Teachers' Colleges in Pennsylvania. Senator Barr is correct. There are changes in Cheyney, Clarion, East Stroudsburg, Lock Haven, Mansfield, Millersville, Shippensburg and West Chester.

I, too, would like very much to have an explanation of the changes in the budgetary figures because, it seems to me, that on the surface it appears to be favoritism. I would like to hear from one of the gentlemen on the other side, probably Senator Stevenson. Perhaps he can clarify the situation because all of us over here feel that we are more or less left out. If you are going to increase any money to these Teachers' Colleges, I will guarantee you I want some for California.

The PRESIDENT. Senator Lane, I am sure that an explanation of those items would be in order, but not on this amendment. We are presently faced with an amendment which must be voted upon.

Mr. SEYLER. Mr. President, I now would like to speak on the amendment. I, first of all, would like to say that in my experience with Senator Wagner, I have always observed that he has hued the line as far as the facts are concerned, and that his statements are dependable. However, Senator Wagner, along with all of us, given a set of facts, I am sure wishes to put the best possible construction on the given facts that he can for the interest that he may be representing at the time.

I want to take exception to one generalization that he made which, I think, is justified. He said, I believe, that the deficits, which resulted in Governor Leader's budget,

were due to many factors, not only to cutting appropriations beyond the point of need but also he said to the hiring of many employees throughout the State.

I think he perhaps believes this statement, and I do not question his desire to believe that this is true. However, I would say that in the context of the point he is arguing, it leaves a very erroneous impression.

There was a \$10,000,000 deficit, a \$10,000,000 deficiency appropriation in the specific item that he and Senator Hays are debating. I am sure that Senator Wagner will not take the floor and state that this \$10,000,000 deficiency appropriation was due to the hiring of more State employees. He knows very well this was due to the fact that not enough money was put in the appropriation to cover the expenditure. This is the kind of a deficiency that Senator Hays is talking about. This is what leads Senator Hays to say that this is a deliberately planned deficit which, as sure as you are born, Mr. President, when the next legislative elections come around and when the next gubernatorial election comes around, will be used by the Majority Party to say this is the result of bad administration when, as a matter of fact, it is due to the fact that not enough money is placed in this fund initially to take care of the needs. So much for that point.

The second point I would like to address myself to is a statement made by Senator Whalley. I admire Senator Whalley's knowledge of the Russian situation. Although Senator Whalley, of course, has never posed as an educational authority, I believe his observations of Russia were very interesting. I think the speech which he made the other day was one of the most interesting speeches I have ever heard on Russia, and I have told him that. However, he made one point there which, it seems to me, needs to be cleared up at this point, and that is when he said that he advocates doing what the Russians do in saying to students that they must take certain courses. I do not think, in spite of the great admiration that Senator Whalley has for the achievements of the Russians—and I believe him and I share that admiration—that Senator Whalley means to say that we should change the way of life in America in the same way the Russians have done it to achieve those results.

Certainly students are given choices. Students and their parents are given choices. This is the American way of doing it. This is a part of the American way of life. We would not want to run our economy the way the Russians do. We would not want to say, "You make this and you do this." We would not want to tell a workman, "We do not want you to work here anymore. You go over to another part of the United States and work."

I do not think Senator Whalley would advocate this and I do not think he should advocate it for our schools. I do not think America has come to the point where we must take away from children and parents the right to choose the vocation for which they want to prepare or the kind of courses and the kind of training they want to take.

I think this is a point of basic philosophy, and I do not want to let this stand unchallenged in the record. I will never personally agree to any system of education which takes away from parents and children the right to make choices about the future of those children. This is what, in effect, you would be saying, if you would state that a student should have a regime of courses laid down

by some teacher or administrator or some educational authority or some Legislature.

Therefore, Mr. President, those are the two points on which I wish to comment.

Mr. LANE. Mr. President, I would like to address my remarks to the so-called experts on education here in the Senate by saying to them that, first, I want you to know that I am not a book salesman. Secondly, I believe you should read the book by John Gunther, "Inside Russia," which is really a revelation as to what is going on over there.

As far as curriculums are concerned, I might say there should be a review of the curriculums in our public school system because I know that young people sometimes like to take courses which are not too difficult. I recall when my daughter was in high school, she wanted to take business administration to get off the hook. She did not want to take an academic course. However, we insisted that she do so.

Therefore, I believe Senator Whalley's remarks have some merit. I agree with you, Senator. Although, I do not think that we should pattern our activities after the Union of the Soviet Republic, I still say the Department of Public Instruction should review those curriculums and make sure these children receive the proper preparatory education in order to enter our colleges, because in a number of cases now in our high schools, a number of our students are not eligible to take the course of engineering because they have not received the proper preparation in high school.

Mr. MAHADY. Mr. President, on the amendment, the treatment of this amendment on the other side of the aisle reminds me of a client of mine. He was a man who made about \$9,000 a year, and he came into my office and said, "I am having trouble with my wife."

I said, "That is too bad. She is a nice woman. What is the trouble?"

"Well," he said, "she is always after money. Last week she asked me for \$100 on Monday. On Tuesday, she wanted seventy-five dollars; Wednesday, again, she was after me for \$200; Thursday, she wanted \$500; and on Friday, she wanted sixty dollars. Money, money, money; all of the time she is after me for money."

I said, "That is too bad. What does she do with it?"

He answered, "I do not know. I never give her any."

Mr. WHALLEY. Mr. President, I just want to answer the good Senator, if I may.

The PRESIDENT. Try to stay as close to the amendment as possible, Senator Whalley.

Mr. WHALLEY. Mr. President, I did not intend to say that Pennsylvania should follow Russia's educational system. I tried to bring out the fact that the principal thing they thought was the cause of our downfall in education, or a weakness perhaps, was that too many freshmen were being permitted to take easy courses, and they were going to try to do something about that.

I want to also say that I have heard so many times about Pennsylvania's contribution to education. Someone has told me that Pennsylvania pays a greater share of the cost than New York, Maryland, Ohio or New Jersey.

And the question recurring,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, I feel that now, if it is proper,

we should take about a fifteen minute recess in order to have lunch, because I feel the inner man.

Mr. BARR. Mr. President, before we go to lunch, I want to get Senator Confair back on the floor and ask that he apologize to the Secretary of Property and Supplies, who is in the audience. I want to read to him what was presented to the Republican Senators by the Secretary of Property and Supplies.

Mr. BERGER. Mr. President, I do not wish to interrupt the gentleman, but may we not conclude the vote on this amendment and then receive the information?

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. BARR. Mr. President, I realize I am somewhat out of order. However, our discussion was ended before the Secretary of Property and Supplies was able to get to the Senate Chamber.

Under date of April 19, 1959, Secretary Bradley appeared before the Subcommittee of the Senate Appropriations Committee. In addition to a verbal discussion, he presented to them a written statement. Regarding procurement, I must read just exactly what he said to them:

"The Department in negotiating all purchasing contracts, makes purchases from a range of 5000 items from paper clips to trucks. General Fund purchases average \$50,000,000 annually plus \$30,000,000 for the Department of Highways. During 1958 the number of procurement documents processed increased from 2500 monthly to 4800 monthly. Despite this doubled workload, without an appreciable personnel complement increase, many improvements in the complicated procurement procedure have been made. For example, the average procurement cycle from the requisition stage to the issuance of the purchase order has been reduced to approximately 28 days.

"Through the organizational changes recently effected, the establishment of proper stock control, the proposed catalogue program and the automation equipment requested in the 59-61 budget, greater achievements in efficiencies and economies in the field of procurement may be realized."

Senator Confair did not talk to the Secretary of Property and Supplies at all about this. He talked to a man by the name of McGuire, who was fired from the Department of Property and Supplies for inefficiency. I

understand he has been picked up as an efficient employee by the Auditor General, Charlie Smith.

Mr. STEVENSON. Mr. President, I am very sorry that my good friend, Senator Barr, made some innuendoes and some gratuitous remarks about the Teachers' Colleges.

I hold in my hand here a statement which was given to me by the Board of Presidents of the fourteen Pennsylvania State Teachers' Colleges. It is a budget request for maintenance and operation of the fourteen Teachers' Colleges during the biennium of 1959-1961.

If you will take the budget as it is laid out there, you will find that all of the Teachers' Colleges, except the ones which Senator Barr mentioned, were given a ten per cent increase. These others were not given the ten per cent increase. The effort on our side here was simply, in a matter of fairness, to give each of them a ten per cent increase. If you will multiply the figures, you find that it comes out exactly on the ten per cent basis.

I want to read a statement of the Presidents of the fourteen State Teachers' Colleges:

"The original request based on the needs of each college was for an appropriation of \$600 per student for each full time student enrolled. This recommendation was rejected and an amount recommended for each college based on approximately \$527 per student enrolled in October 1958." Since that time, October 1958, a lot more students have enrolled, which has partly necessitated this change. "The effect of appropriating on this basis can readily be seen. For one thing there will be an average of 20,000 students in attendance at the colleges during the 1959-1961 biennium instead of the 18,000 who were in attendance in October 1958. Reducing the proposed per capita student appropriation from \$600 to \$527 eliminates every possibility of having the State's appropriation equal the mandated increments in salaries and wages." In other words, by not giving these colleges this ten per cent, they cannot meet the mandated increases in salaries and wages. "Even though the colleges increase the basic fee from \$144 per year to \$200 per year, more than half of the colleges will be left with less money, per capita, on which to operate the college than was available in the preceding biennium. The Governor's recommended appropriations are less for the 1959-1961 biennium than they were in the preceding biennium in the case of Cheyney, Lock Haven and Mansfield, and five more of the colleges would receive appropriations involving less than a 10% increase over the preceding biennium—the rule which has been followed during the last two sessions of the General Assembly.

"In order to provide for each college an increase in appropriations of at least 10% over the appropriations for the preceding beinnium it is necessary to increase the amount of the recommended appropriations in the Governor's budget by \$568,827. . .

"The members of the General Assembly should also be advised that the adoption of the appropriations as recommended in the paragraph above will still leave the colleges with only insignificant amounts to provide for the maintenance of the physical plant. As has been pointed out during each legislative session for many years, the lack of sufficient funds for building maintenance soon results in deterioration of physical plant and substantial loss to the Commonwealth."

They go on here with more statements similar to that. They said.

"It is not mere idle talk to state that the programs of the colleges including student enrollment will have to be curtailed if needed support cannot be made available. It should also be remembered that if advanced student fees are made effective in September 1959, students will be paying almost \$2,000,000 more toward the operation of the colleges for the next biennium than the State is paying."

It is not my choosing to give Lock Haven or Clarion more money. It is the report of the fourteen Presidents of the State Teachers' Colleges. They sat down together and they pointed out the fact that this enrollment was figured back in October of 1958, and it was not fair. They figured that every one of the colleges should get the ten per cent in order to maintain their plant and meet the mandated salaries.

RECESS

Mr. BERGER. Mr. President, I request a thirty minute recess of the Senate for the purpose of having lunch.

The PRESIDENT. Are there any objections?

Mr. LANE. Mr. President, I am hungry, too. However, I would like to have a talk with Senator Stevenson a minute on the floor in regard to these Teachers' Colleges. Incidentally, I have one in my District, and I think we should clarify a few things.

If it is all right, I will do it after lunch.

The PRESIDENT. I think perhaps that can wait.

Mr. LANE. The colleges, you mean?

The PRESIDENT. You may resume your discussion after lunch.

There being no objections, the Chair declares a thirty minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

We will now resume consideration of House Bill No. 2326, Printer's No. 1704, on third reading, which was before the Senate prior to the recess.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Clinton, Senator Stevenson.

The PRESIDENT. Will the gentleman from Clinton, Mr. Stevenson, permit himself to be interrogated?

Mr. STEVENSON. I will, Mr. President.

Mr. LANE. Senator Stevenson, with reference to the increases to the various State Teachers' Colleges, I am wondering if you would take the time to explain to the Senate why these increases were made and the circumstances surrounding the individual colleges?

Mr. STEVENSON. Mr. President, as I stated before lunch, we endeavored to give a ten per cent increase over the amount of money they had in the last biennium. The figures upon which the Budget Office based their estimates, and which were approved, I presume by the Governor, were based on statistics they received back in October of 1958. There has been a change in the number of students, and there must be a change in the amount of money.

We have, Senator Lane, in the case of the Teachers' Colleges, a situation where the larger Teachers' Colleges with their larger enrollments—it is like a wholesale business—have an over-all gain by reason of having a larger number of students. In the smaller Teachers'

Colleges, they have certain fixed charges, and it is rather difficult for them to meet the mandated salaries, the necessary repairs and the other things incidental to what is required for maintenance and operation of the colleges. Therefore, we felt they were entitled to this same increase because of the fact they cannot make their ends meet if they do not have it.

The amendments, as placed in there, were amendments that had been worked on by the Board of Presidents of the fourteen State Teachers' Colleges. They had numerous meetings in Harrisburg I think with the Department of Public Instruction. I believe Doctor Alderfer sat in with them, or somebody over there. They had an agreement. Those whose sums are not changed here felt they could get along. The ones that are changed in here are the ones that are approved to the satisfaction of the other fourteen presidents that they could not operate successfully without this adjustment. So, it came to me in this report.

There is nothing personal in it, as someone inferred here this morning. I did not care where they were located. If they could not operate successfully, we put the amount in which we felt they needed, the total of which is around \$562,000, I believe.

I am sure, Senator, if you contact any of the presidents of the colleges that have not been changed here, they will tell you they are in full accord with what is in here.

Mr. LANE. Senator Stevenson, on these amendments, concerning the amount of money contained in the amendments, did you determine that amount in your committee, or did the Teachers' Colleges or did Public Instruction?

Mr. STEVENSON. I think it was a joint effort between the department over there: I do not know just who sat in with them and the fourteen presidents. It was not done in a week's time. It was done over several month's time, and they all came up with this figure. My impression was that it was in accord with the wishes of the department.

Mr. LANE. Senator Stevenson, then may I take it that Public Instruction has approved this increase?

Mr. STEVENSON. I cannot say that authoritatively, Senator, but we have had no objection from them in any way. My impression in talking with a special committee of the presidents, who called on me just last week I believe, was that everything was all right and everybody was pleased.

Mr. LANE. As I understand it, then, the reason these amendments are in there is because some of these Teachers' Colleges do not have the enrollment of the larger ones, and, therefore, there is a fixed cost. What you are doing is supplementing their present operating budget with sufficient funds to meet current expenses. Is that correct?

Mr. STEVENSON. That is correct, Senator.

Mr. LANE. I see. I wish to advise you that I called the Teachers' College in California, and Doctor Duda, the President, is not there. However, the fiscal agent has advised me that he will send you a communication in regard to their operations, and, of course, if there are any additional moneys thrown around here, I want some for California, too.

Mr. STEVENSON. That is all right, Senator.

Mr. PECHAN. Mr. President, I wonder if I may direct

my remarks to Senator Lane. I think he was asking Senator Stevenson for some information about State Teachers' Colleges.

Being a trustee of one, I know that our budget, which happens to be Indiana, is submitted to the Department of Public Instruction, and anything that is in that budget came from the Department of Public Instruction. Each State Teachers' College submits its budget to the department, and then the department either approves it or disapproves it. I think that the increases that are there—Indiana, incidentally, is not one of them—were made because when the budgets were prepared in the various schools, some errors were made and that rectified those errors.

Senator Lane, I think if you will call the department, you will find the budget of each school is first approved by the Department of Public Instruction.

Mr. LANE. Mr. President, I always knew Senator Pechan was fast on his feet. I knew that one time he was on the Aeronautics Commission, but this is the first time I ever knew that he was on the Board of Teachers' College. I thought I heard his name mentioned one time, but I thought the name was withdrawn. So you are on there, too, are you? You are doing all right.

Mr. PECHAN. Mr. President, it was just a few months ago that I was approved for another six year term, and I saw Senator Lane beaming from ear to ear. I thought he was very happy to vote for my approval.

The PRESIDENT. We are glad he looked happy, anyway.

Mr. LANE. Mr. President, I am wondering if at sometime Senator Pechan decides not to hold all of these jobs, perhaps he will let me have one, especially on the Aeronautics Commission.

Mr. HAYS. Mr. President, I now desire to offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration. After the amendment is read, I would like to make a very brief statement.

The PRESIDENT. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Sec. 2, page 29, line 13, by striking out "42,415,000" and inserting; "48,915,000."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this specific amendment would return to the budget the money for building rentals in the extent of \$6,500,000 which has been cut for the budget.

These building rentals are largely moneys paid to individual school districts or the authorities set up by school districts and are, once more, mandated amounts.

I want to make the record clear by stating that at the beginning of this Session, no deficiency appropriation, to my knowledge, was approved for this particular item. Therefore, two years ago the Senate approved, apparently, an adequate amount. However, that was not true at the end of the preceding biennium because, at that time, I find we had a deficiency appropriation of \$5,000,000.

There is one other thing I might add. Of course, whenever the State fails to pay these authorities or school districts on time for these rentals, it does jeopardize, as you can understand, the credit standing of the school districts and the authorities.

I ask my colleagues to vote for this amendment.

And the question recurring,
Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The Clerk read the amendment as follows:

Amend Sec. 2, page 29, line 16, by striking out "41,435,561" and inserting: "42,435,561."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this, of course, is the mandated transportation expense for transporting public school children in the Commonwealth of Pennsylvania. I must remind the Senate that two years ago, the Senate guessed apparently to the extent of being too low by \$2,650,000 for transportation for this biennium.

I ask my colleagues to vote for this amendment.

Mr. WAGNER. Mr. President, without going over the figures that we used this morning, may I suggest that this calculation is a direct result of the revision of the department's estimates on the number of pupil units. Since there is a substantial decrease in their original estimate of pupil units, obviously there is a decrease in the need for transportation, because the pupils who are not there when they were expected to be there will not have to be taken anywhere.

Mr. HAYS. Mr. President, I was reliably informed, I thought, that the information concerning the decreased estimate of teaching units was available to the House when they passed this legislation, and it was included in that consideration. If I have been erroneously informed, that is another question.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,

Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I offer a further amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The PRESIDENT. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Sec. 2, page 29, line 20, by striking out "26,000,000" and inserting: "26,432,500."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this amendment deals with restoring the cut in the recommended appropriation by the Department of Public Instruction to carry out the provisions of the laws relating to joint, merged and union school districts.

I think the record for last January will show the estimates that we used two years ago proved to be \$765,873 too small.

I ask my colleagues to vote for this amendment.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The Clerk read the amendment as follows:

Amend Sec. 2, page 30, line B, by striking out "\$4,755,100" and inserting: "\$4,900,000."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this amendment has to do with closed schools. I shall not go into the merits of the closed school situation, except to say that presently legislation is on the books of the State to pay for closed schools. I believe two years ago, the deficit in this department was \$140,300.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,
Camiel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarraf,
Seyler,
Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Madigan,

Mallery,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The Clerk read the amendment as follows:

Amend Sec. 2, page 31, line 9, by striking out "2,-750,000" and inserting: "3,250,000."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this amendment deals with the question of extension education, on which we have mandatory legislation also, and I believe the deficiency appropriation at the beginning of this Session, because of the amount two years ago, was \$772,000.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. STIEFEL, and were as follows, viz:

YEAS—22

Barr,
Camiel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarraf,
Seyler,
Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Madigan,

Mallery,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, I desire to offer an amendment to House Bill No. 2326, Printer's No. 1704. I ask for its immediate consideration, and I then desire to speak a brief word on the amendment.

The PRESIDENT. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Sec. 2, page 26, line 8, by striking out "\$7,-921,048" and inserting: "\$8,160,863."

And the question recurring,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this is the item for what we might call the general administration of the Department of Public Instruction, the department that administers—

I am afraid of these numbers—perhaps \$800,000,000. I do not want to give that to the newspapers, however.

I would call to the attention of the Senate the fact that the amount in this bill, without the amendment, is \$7,921,048. If we deduct the special amount for the Auditor General's audit of \$1,300,000, we discover that the actual amount, as I understand it, given to the department for its administration is \$6,621,048, while for the last biennium, for the same reasons, the amount was \$7,760,472. This would represent if I am correct in this, a decrease in the amount of money for the administration of the Department of Public Instruction.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. HAYS and Mr. SILVERT, and were as follows, viz:

YEAS—22

Barr,
Camiel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarraf,
Seyler,
Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Madigan,

Mallery,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

Mr. HAYS. Mr. President, we have now reached the point where I do not know how many times I have been up to bat, but Senator Berger and his crowd are pitching a perfect game up to this time.

Up until now, we have asked to add to the budget for education in Pennsylvania. This particular amendment asks that the State be spared some moneys in the matter of education.

I submit this amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration.

The PRESIDENT. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Sec. 2, page 29, line 9, by inserting after "open". "No part of this appropriation shall be used to pay the minimum instruction subsidy as provided in clause (4) of section 2501 of the Public School Code of 1949 to any school district other than a district of the first class or first class A which is not otherwise entitled to reimbursement on account of instruction as provided in section 2502 of said Code."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, I might say, in fairness to my colleagues on both sides of the aisle, that I am offering this amendment on my own behalf.

First of all, I shall not go into a long discussion of the intricate formula by which school districts are reimbursed. We have had a couple of courses on that already this Session, and the test results have not been very good.

However, in the application of the formula to reimburse school districts, the principle or formula is a

very good one, most of us believe, in that the wealthier the district, based on the real value of the taxable real estate, measured by those terms, the less State appropriation goes to the particular district. The poorer the district, as measured by the value of the taxable real estate, the greater the amount of money.

For twelve years now, there has been a gadget in this formula, a gadget which says that if you are very, very rich—I do not know how many districts there are in Pennsylvania inasmuch as I have not looked into it, but I am told between \$20,000,000 and \$30,000,000 in the last twelve years has gone into this category of the very rich districts of Pennsylvania. We say to them, if you are so rich that this formula gives you less than \$1,000 per teaching unit, then we will, without you coming to ask us, if it should come out that you should have \$200 per teaching unit, gratuitously give you \$800 more. This is going to the very wealthy districts in Pennsylvania.

Over the last twelve years, it has mounted into millions of dollars. I do not know what it is now. It seems to me if we want to equalize educational opportunity and cut this budget in Pennsylvania for education and put it in better places, I would urge all of my colleagues to vote for this amendment.

Mr. WAGNER. Mr. President, I desire to interrogate the gentleman from Centre, Senator Hays.

The PRESIDENT. Will the gentleman from Centre, Mr. Hays, permit himself to be interrogated?

Mr. HAYS. I will, Mr. President.

Mr. WAGNER. What is the special reason, may I ask, for eliminating districts of the First Class or First Class A?

Mr. HAYS. Mr. President, Senator Wagner, it is my impression they do not fall in this \$1,000 minimum.

Mr. WAGNER. Well then, why exclude them if it does not make any difference?

Mr. HAYS. I was told by the Legislative Reference Bureau that this had to be included in the amendment.

Mr. WAGNER. Thank you, Senator.

I would just say, Mr. President, that Senator Hays is right. Since the inception of this equalization formula, there has been exception made for certain districts, which were originally Philadelphia and neighboring counties and Pittsburgh, because it was felt that in the old days, the rich seemed to get richer and the poor get poorer. When we set out to equalize, it was feared there would be too much taken from the wealthier districts as compared with the previous system of reimbursement. To get their co-operation and to make it palatable to them, it was deemed to be reasonable to set that minimum which he properly describes.

As the years go by, of course, the change in costs and reimbursements kind of take up a lot of that slack. How much, I just do not know. However, I feel that probably, since it has been an historical procedure and does not worsen the situation any as the years go by, my only observation would be that if we are going to adopt the amendment, the Senators who vote "aye" had better find out, in all fairness, what it is going to do to the subsidies in their particular districts, because it will hurt many of them very, very substantially.

Mr. MAHADY. Mr. President, the more I hear of this formula, the more I am convinced there is no formula and that the exception is to the rule.

It seems to be that we passed several bills, one where they had so much public land, and another one where we had another exception and we wanted to change the formula for a particular place. Then we find the payment for closed schools, which affects the amount that is paid to them.

I think we passed a resolution here sometime ago, saying that this whole system should be restudied. I think for that reason, we should await the results of that study, because it looks as if we are in need of a formula. I am not convinced that we have one.

I respectfully say, as much as I respect the opinion of Senator Hays, I agree with Paul Wagner that we do not know the affect upon our districts.

This is sudden. This morning I was going to introduce an amendment and I spoke about it, but because of the suddenness of it and the fact that people could not study it and see the effect upon them and their districts, I refrained from introducing it. For this reason, I will vote "no."

Mr. WEINER. Mr. President, I want to agree with Senator Wagner, but for another reason. If we continue in the vein that we are going, the rich will not get richer, but the rich will become poorer. That was the very reason the Tax Equalization Board was set up originally, which, incidentally, has been, for all practical purposes if we follow through on this budget, ripped out completely as one-third of its budget has been completely stricken off.

The principle that Senator Hays is trying to make, I think is a just principle and one that would certainly merit some very careful consideration because this problem is going to get out of hand.

Unfortunately, I do not agree that at every Session we should change the principle or we should change the formula to fit the particular need as each Session dictates or as the facts come out from the Tax Equalization Board. There may be a day here, I submit, when maybe some of these districts may not be as well represented as they are now, and I would hate to rely upon the pure playing of politics with this very vital area of our government.

I think we should get a formula, and if it is fair, we should stick to it no matter how the game goes. Once we lay down the ground rules, we should stick to them.

I think the principle that Senator Hays is advocating is one we should consider very carefully, because the people in all our districts will suffer from it in one way or another, either by increased taxation or fewer services, whichever the case might be.

Mr. PECHAN. Mr. President, I would like to comment very briefly on Senator Hays' amendment.

Mr. home district, Ford City, was one of the districts which was classified as a rich district. We had a lot of wealth behind us. We had two industries there, and we, of course, did not have the population.

Senator Mullin made a remark this morning about some \$4,000,000 that we are paying for closed school districts. Of course, that is the law. However, that law was made so that school districts such as mine would take in the poorer districts. It was a bonus, it was bait, and Ford City fell for it. We, consequently, took in three poor school districts and have a union school district. If it had not been for that incentive that was given to us by the Com-

monwealth, Ford City would have minded its own business and had a school district that was out of debt, and would have probably educated their children better because they did not have the large number of pupils.

We just spent \$750,000 for a cafeteria. Ford City is not big enough that every boy and girl could not go home to eat. When these children are transported into Ford City, we had to provide cafeteria facilities for them. Consequently, the majority of that money is coming out of Ford City because the little community of Ford Cliff I think had an assessed valuation of—I do not know exactly. It is some infinitesimal sum. They have a lot of children, but no property. We have to transport those children and, consequently, I do not think there is any need for Senator Hays' amendment.

I agree with the remark that Senator Mullin made this morning. It does not make good sense to pay for schools that do not exist. However, that provision was put in as a bonus, as an incentive to these richer school districts to take in some of the poorer ones and give more equal educational opportunities to a greater number of boys and girls.

Mr. HAYS. Mr. President, I simply want to say that I, of course, plead often for more educational aid. I think here is a way in which we could save the State some money, and do it on a principle that I believe all of us subscribe to.

I shall not ask for a roll call vote.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the negative.

Mr. HAYS. Mr. President, I would just like to say that this is the final amendment in this series. I would be happy to have the Senator from Lebanon join me in sponsoring it if he would like to.

I now offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask to speak briefly on it.

The PRESIDENT. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Page 54, line 6, by striking out "\$6,000" and inserting in lieu thereof: "\$1,000."

On the question,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, this amendment deals with the expenditures of the Special Committee designated by this Body to investigate the Department of Public Instruction.

I tried to be faithful attendant at all of the meetings of that committee and, to my knowledge, we have only authorized the expenditure up to this time of about \$500. This amendment would permit this to be doubled.

The bill, of course, is calling for a twelve fold increase in the amount of expenditures that have been authorized up to this time.

I know there are more expenses in connection with this committee, and so the amendment suggests we double the amount.

Mr. EHRGOOD. Mr. President, I certainly would not want to co-sponsor such an amendment, not that I broke my leg going into base or anything like that. However as I recall, we do have additional expenses, stenographic expenses and so forth, of which Senator Hays may not be aware.

For that reason, I suggest that the amendment be voted down.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

Mr. MULLIN. Mr. President, I offer for immediate consideration and adoption an amendment to House Bill No. 2326, Printer's No. 1704.

The PRESIDENT. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 36, line 7, by striking out "\$9,512,828" and inserting: "\$10,187,828."

On the question,

Will the Senate agree to the amendment?

Mr. MULLIN. Mr. President, this amendment concerns the general expenses of the Department of Public Welfare.

As was well said at the head of an article in The Pennsylvania Federationist: "This is Economy at the Expense of Humanity." The \$675,000 cut in the appropriation for general administration of the Department of Public Welfare is a most expensive kind of economy. It is a seven per cent cut, approximately, in the amount available for over-all administration of this department, and it means handicapping every single program of the department.

In the mental health program, the supervision of the multi-million dollar institutions will be impaired. The development of the mental health facilities in the community which help avoid the necessity of institutionalization will be slowed because of the slash in technical personnel. Even the inspection and supervision of private institutions for the mentally ill and mentally retarded will be hampered.

Services to the aged, particularly in the much too limited field of inspection of nursing homes, will be further reduced. There were five fires in nursing homes last year. A cut back in inspection will increase the danger of fires still further. This will affect not only indigent, aged persons, but also those who are fortunate enough to have relatives or money of their own to pay for their care. Efforts to get older people out of institutions and back to more normal home living will be slowed, and in many cases, will stop altogether.

The staff responsible for the supervision of the ten general state hospitals, for inspection of hundreds of private hospitals, and for the administration of the program which will distribute approximately \$11,000,000 in Federal funds to medical facilities in Pennsylvania next year will be curtailed to the point of inadequacy.

The public assistance program involves the expenditure of well over \$300,000,000 a biennium. The cut in general administrative expenses will mean less supervision and control over this expenditure.

Since the Federal Government pays about one-third of the cost of this supervision and control, each dollar cut here actually means a total reduction of about one dollar and one-half.

The cuts in the office for children and youth and the office for the blind will not only mean less supervision and control of these programs, but will even cut into the programs themselves. In these programs, actual services for these two groups of people are paid out of this appropriation.

The ever-growing problem of juvenile delinquency will continue to be more and more serious. The needs of neglected and delinquent children will be less well met. Private and local public agencies for the care of children, including not only institutional care, but foster home care, adoption and preventive services, will not receive the professional and technical help that they are entitled to from the State.

The administration of the remedial eye care program for the blind will be slowed with the result that persons whose vision could be saved will go blind. Vocational rehabilitation of persons with visual handicaps will be curtailed with the effect that instead of becoming taxpayers, many visually handicapped persons will become tax consumers.

Finally, the over-all direction and supervision of all of the programs of the department will be made less effective by a reduction in the staff of the secretary and in the business management activities of the department.

In the furtherance of this, I wish to quote a statement from the Pennsylvania Citizens Association:

"The Pennsylvania Citizens Association takes the position that increased costs, expanding population and rising incidence of juvenile delinquency, mental illness and other social programs mean that a hold the line budget represents an actual per capita reduction in services.

"It is generally acknowledged that a 1957-59 dollar will not purchase as much in 1959-61. Yet case work programs continue to go up and up, particularly in the juvenile delinquency program."

I wish to state that cutting down this program is a violation of all of the rules of humanity. I ask that this amendment be adopted, and a roll call vote taken.

Mr. PECHAN. Mr. President, the distinguished gentleman from Philadelphia talks about cutting the budget. Actually, we are, in this one category, giving almost \$3,000,000 more than we gave in the 1957-1959 biennium. During the last biennium, those figures were \$6,532,447. We are giving that department for those services \$9,512,000, or an increase over the last biennium of \$2,980,000.

Two years ago, we went along when the two departments were joined. We were told by the previous Secretary of Welfare that if we joined the two groups, we would have a savings of X number of dollars, many dollars. The Legislature enacted that legislation with the thought in mind that we were going to save money. Now we know that we have not. We are giving almost a thirty per cent increase for those administrative costs, and I think that is sufficient.

I believe every budget that is prepared is prepared in such a way that when the heads of the departments draft them, they know that the Legislature is going to cut them. I am not talking politics. When I was here in the Legislature with Jim Duff and John Fine, when we controlled the Legislature, both sides of the House, we arbitrarily cut those budgets. I think the department heads expect the Legislature to cut them.

They should do a better job with \$3,000,000 than they did two years ago. We could give them \$15,000,000 and they would come in and want more and more and more. They would want more technicians. They would want to

send more people to school to educate them. What happens to those people whom we educate? They stay with us for awhile. Then some other State takes them away from us, and it is costing the Pennsylvania taxpayer money.

You have money there for forestry camps. I believe in them, and I want to help them. I think anyone in this Legislature knows that my sympathies are for them. However, money was absolutely thrown down the drain, in many instances. Raccoon Park, at one time, had a staff of eighteen people who were policing six boys and girls and five of them ran away. They could not even watch them—eighteen people.

Therefore, I am asking my colleagues to vote "no" on the amendment.

Mr. MULLIN. Mr. President, the proposed appropriation in this budget is not padded. This appropriation is for indigents of every kind, the sick and the disabled. I believe that the State slashing here goes beyond trimming the budget. This will cause serious hardship to the most distressed people of the State.

I want to point out one thing that Senator Pechan did not mention. The Auditor General comes in here for \$542,450, which he did not cut in for before, and that is about the only bit of gravy that I know of in this thing.

Mr. PECHAN. Mr. President, I would just like to remind the gentleman that in the over-all picture in the Department of Public Welfare, we are giving them \$44,000,000 more to do a job than they had during the last biennium; \$44,000,000 more than they had to spend during the last biennium and they do not have a line budget.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. WEINER. Will the Senator advise the Members of this Senate if the cost of living has gone up since the last biennium, if he knows?

Mr. PECHAN. Yes, I guess it has some. My rates in my dental office have not gone up, but I think they have in all the other areas.

Mr. WEINER. Will the Senator please advise us if the overhead in operating has gone up, as far as hospital personnel and as far as manning the different divisions and sections of this department are concerned?

Mr. PECHAN. Mr. President, I think that is recognized. We are giving them more money. We did recognize—

Mr. WEINER. I do not want to be rude and interrupt you, but would you please just answer my questions, and then I will be glad to listen to anything you have to say?

Mr. PECHAN. Unless I can answer a question the way I see fit, I do not want to be interrogated.

Mr. WEINER. Are you refusing to be interrogated?

Mr. PECHAN. No, but I refuse to be held down to your questioning. Do you want either a "yes" or "no"?

Mr. WEINER. No sir. All I want is an answer that is responsive to the question.

Mr. PECHAN. Was I evasive?

Mr. WEINER. I would not say you were evasive, but you did not answer the question.

Mr. PECHAN. I said "yes."

Mr. WEINER. All right. Now would you also tell us,

Senator, if the department had a deficiency at the end of the last biennium.

Mr. PECHAN. They did, and we took care of it.

Mr. WEINER. Did you vote for the deficiency appropriation?

Mr. PECHAN. Yes, I did.

Mr. WEINER. Senator, would you please advise the Members of the Senate if you thought the deficiency that had occurred was a proper one?

Mr. PECHAN. I do not know what is going to happen two years from now. We did not know then, and we took care of it when the proper time came. If there is a deficiency this time, we are going to take care of it unless the money is improperly spent.

Mr. WEINER. Senator, may I repeat my question, please? Would you advise me if the deficiency that you voted for and in a sense O.K.'d, did you think that was a proper deficiency which had occurred as a result of the end of the last biennium?

Mr. PECHAN. I do not want to be coached. I have a Philadelphia lawyer on the other side. Please let me alone, will you?

Mr. WEINER. Senator, if you would like to confer with counsel, I will be very happy to wait.

Mr. PECHAN. I do not want counsel, believe me. I would like to be left alone. Now will you repeat the question?

Mr. WEINER. Yes, sir. Senator do you feel that the deficiency appropriation which you voted for here, which was a result of the department not having sufficient money on which to operate during the last biennium, was a proper one and properly incurred?

Mr. PECHAN. Not entirely.

Mr. WEINER. Did you vote for the deficiency appropriation, Senator?

Mr. PECHAN. Yes, I did.

Mr. WEINER. May I take it, Senator, by your vote for this that it was your approval of the deficiency the department had incurred?

Mr. PECHAN. I wanted your Governor to start off with a clean slate. I did not want to have him carry over someone else's debts, so I voted for all of the deficiency appropriations.

Mr. WEINER. We appreciate your generosity in this regard. What we would like you to do for our Governor is avoid any further deficiencies in the coming biennium.

Do you feel that this amount of money that you are giving us, over the 1957-1959 biennium, will not result in a deficiency?

Mr. PECHAN. I feel that it should not. I think \$44,000,000 is more than enough. I think the Appropriations Committee was very generous.

Mr. WEINER. You feel there will be no deficiency as a result of this cut that you have made in the budget?

Mr. PECHAN. Mr. President, I would like to tell the gentleman, there need not be any.

You know, in my home, I spend just what I make, what I budget myself. I do the same with my wife, and if she incurs any further debts, she is going to have to do a lot of explaining. I expect the same should be done here. We are spending other people's money, and we should be so guided. We should do this on a business principle, just as we do our own homes. Just because it

is taxpayers' money, does not mean that we should not be guardians of it and be watchful.

The PRESIDENT. Will the gentleman permit himself to be further interrogated?

Mr. PECHAN. Yes, Mr. President.

Mr. WEINER. Mr. President, will the gentleman explain to us, and I am speaking about the Department of Public Welfare now, how people in need, many of whom come into a sudden need, can explain away or explain to us properly how they came to need this money and do we stand by and wait until they have made a proper explanation before we aid them, or do we just let them fall by the wayside because we are trying to operate in a businesslike manner?

Mr. PECHAN. Mr. President, we do not want anyone to suffer. We have laws, and if these people meet these certain requirements, we take care of them. We always have and we are always going to. However, if you are going to hire a lot of people—let me give you one example.

Senator WEINER, are you still going to be the Philadelphia lawyer? Will you let me deviate just a little bit?

Mr. WEINER. Senator, if you will tell me what role you would like me to play, I would be very happy to accommodate you. If you will tell me whether you want me to be a Philadelphia lawyer or the person who answers your question or with whom you debate this, I will be very happy to play the role.

Mr. PECHAN. I just want you to listen. Now I forgot what I was going to tell you.

The PRESIDENT. Shall we be at ease?

Mr. WEINER. Mr. President, I certainly hope the gentleman is a little bit more exact and a little more correct and accurate in the cutting of the budget and the figures he is using than he is in letting this important idea slip away from him when he is right in the midst of making a point.

Mr. PECHAN. As I said to you, Senator Weiner, these people who, because of circumstances beyond their control, find themselves—of course, we are not speaking on that amendment. What you are talking about is people who are recipients of public assistance. I think someone over on your side has another amendment, and I do not think we are talking about the same thing.

I do want to answer your question and say that I am sure that my twenty-seven colleagues over on this side feel just as strongly to take care of people in need. Whether it is going to be done by business methods or whether it is going to have to revert to a deficiency appropriation, we are going to take care of those people.

We are going to be back here, I think, in January of 1960. If we are not here in January of 1960, we will be back here in 1961, and if your housekeeping is not good enough, you are going to come over to the Republicans, just as you have in the past, and say, "We have got to have this money. We are going to have a deficiency appropriation." We will vote for it. You will get the money and there you are.

Do not forget, we are giving you \$44,000,000 more than you had in 1957-1959.

Mr. WEINER. Mr. President, I want to thank the gentleman. I am glad he got that clincher in.

Unfortunately, this announcement of public policy, as it were, that we are interested in taking care of people unable to take care of themselves is not always the answer

if you do not provide the money and the wherewithal to do it.

The fact that you say you are going to vote for a deficiency, I think is not the answer either. I think you must give the department adequate money with which to handle their problems.

That is not only true with the Department of Public Assistance, but in all areas dealing with mental health and the children's programs they have. I think you just cannot pronounce that you are going to do these things, and then cut off the money and expect the Secretary to live within those bounds. We are saying to the Secretary, "We expect you to operate in a businesslike manner. We expect you to operate these programs properly. We are going to try to give you enough money to do it." Then you deliberately cut out the ground from underneath these people so they cannot do a job. There is always lurking in the back of their minds, when they start to carry out any program, the thought: "Is there enough money to finish it? Can we hire the proper personnel and will they remain if we cannot afford the amount of money they have a right to demand? Will they go to other States, after we have spent time, effort and energy to bring these people to the peak of perfection where we would like to be so they can work on these programs and projects?"

You are cutting this money away from them and you are saying to them, "We still expect you to do the same type of a job. We still expect you to operate at the same efficiency. We still expect the same amount of service." I do not think you can do that.

Mr. PECHAN. Mr. President, I would like to again remind the gentleman that he is talking about a cut. I do not see how you can call it a cut when you are raising an appropriation from \$6,532,000 to \$9,512,000. How do you call that a cut? That is an increase in my book, in my way of mathematics, of almost thirty-three per cent. What is he saying about a cut?

I am going to say one more thing, which is what I had in mind when I lost my thought awhile ago, regarding an expense that we have in the Department of Public Assistance, and that is case workers. In the city of Philadelphia, we have a turnover of almost fifty per cent in new case workers every year. There may be several reasons for it. It is unpleasant work. It may be that we are not getting the proper people there. It may be that they have too much work to do.

In any industry or in your own home, your maid or anyone else should not have to be replaced every two years. If my wife got a new maid every two years, I would look at her. I would think something was wrong because why should we not have someone stay over six months? That is what is happening with the case workers.

Out in the rural areas, in my county of Armstrong, we have case workers who are dedicated, who love their work. However, if you get into the city of Philadelphia and the city of Pittsburgh, and you talk to the case workers, they say, "I am afraid to go into that home. I make a call that takes two or three minutes and I take someone in with me."

I do not know what the answer is. However, this is an area. It takes time to educate those people to be case workers, and then they only stay with you six months and you rehire new people.

Mr. WEINER. Mr. President, I would like to correct

the gentleman on two or three of the areas that he is speaking about.

First of all, the reason they lose case workers in Philadelphia and elsewhere is that they are underpaid. I think you can hardly compare the people who live in your area as having to pay the same cost of living that we pay in Philadelphia. For example, let us take your profession, Doctor Pechan. I am sure that the dentists in Philadelphia pay a higher rent for their offices in the city of Philadelphia than you do in Ford City. This is true throughout the entire State for many, many services and for many, many areas. It is true that there is a difference between cities. When these people are underpaid, they can only stay on the job so long and they go on to other work when they become a little more skillful.

Also, I think we should set the record straight on this. In the 1957-1959 biennium, we gave the department \$359,-136,000. The Governor's Office recommended, after cutting the department itself through the Budget Bureau, \$416, 901,000 for this biennium. Now you have reduced that down to \$404,035,000. I do not see where the \$44,000,-000 increase is. As a matter of fact, you decreased it by \$12,866,000. How do you expect the department to operate properly when you are cutting away at it and not allowing them to do the job that you expect them to do?

I am sure that you and the other Members of this Senate, if the department did not carry out its duties properly to one of your constituents or slighted them in any way, would be the first ones in here with a resolution or at least take the floor during Petitions and Remonstrances, and properly so, raising the roof about this situation.

However, if you take away the means and the wherewithal to do it, you have no right to complain. What I do not want and what the Governor does not want, as he has stated emphatically a number of times, is any built-in deficits. That is all that is happening here. You say that you are giving them more money over two years ago, when you, yourself, admit that the cost of living has gone up and our index of the cost of living is put out by the Federal Government, which does not happen to be Democratic at this moment, has gone up. Certainly, if they are looking at it even in an impartial way, it indicates this is continuing on and will continue on, especially at a time when we know there is a strike going on in one of the prime industries in this country, the steel industry. Some of these people may find themselves on the rolls who were never on there before and may not want to be on there, but they cannot help themselves because of the economic stress they are under. I do not think that you can do this and in any way be honest in your first proposal where you said you are interested in taking care of people and looking out for them.

We cannot equate human misery in dollars and cents. You can only equate it in the hopes of trying to relieve it, and that is all that we are trying to do by giving this money. It is sort of conscience money that society gives to take care of those who are unfortunate in society. I think this is a bad way to do it, and shouting that you are giving them more money than you gave them two years ago is a very poor argument.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. MULLIN and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

DELEGATES TO THE PENNSYLVANIA
LIBRARY ASSOCIATION CONFERENCE
PRESENTED TO SENATE

Mr. SEYLER. Mr. President, during the debate on this last amendment, we have had some visitors come into the hall and I would like to introduce them to the Senate. These ladies and gentlemen are some of the more than 400 delegates to the Pennsylvania Library Association Conference, which is meeting in York on Thursday, Friday and Saturday of this week.

I would like to tell them that we are presently discussing amendments to the important appropriation bill, and we are very happy to have them here to listen to this discussion.

The PRESIDENT. Will the ladies and gentlemen of the Library Association please rise so that the Senate may welcome you?

On behalf of the Senate, I can say to you that you are very welcome today. We are glad you are here to hear the debate on the appropriation measure now before the Senate.

Mr. MULLIN. Mr. President, the members of the Pennsylvania Library Association also are awaiting with great interest positive action on the Library Bill, House Bill No. 1789, which I believe is in the State Government Committee.

The PRESIDENT. We will proceed with the offering of amendments to House Bill No. 2326.

Mr. MAHADY. Mr. President, at this time I would like to propose an amendment to this bill and ask for immediate consideration and adoption of the same.

The PRESIDENT. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 38, line 9, by striking out "\$900,000" and inserting: "\$933,283."

On the question,

Will the Senate agree to the amendment?

Mr. MAHADY. Mr. President, I would not have the effrontery to lecture but rather, as a new Member, I want to say what is in my heart.

The welfare of people does not deserve mealy-mouthed buffoonery nor political solidarity. We have heard twice in the last four days from the other side of the Senate

and on one occasion the quotation was—I think I am correct or I will come as close as I can to it—that where people are concerned, we will not count the cost. We should not take the time to count the cost.

We heard just a few minutes ago the statement that we are as much in favor of people as you are. Let me say to you that I asked to have this amendment and the next one drawn up because they are dear to my heart. I will say that when the Evening Bulletin said that the Republican Majority in the Senate had cut, not wisely but too well, I feel I must agree with them.

Before I go into detail, I would also like to quote from the Pittsburgh Press. They are talking about the budget cuts and the other side's crowing about how much money they have saved. They should have put "saved" in quotation marks.

"So long as this trend continues, the Legislature which mandates the services should, in honesty, raise the money to pay for them. The only alternative is continuing deficits, which keeps Pennsylvania in a fiscal mess. It is about time that the Legislature puts the State's financial house in order. It can't be done by restoring to budget trickery."

I used that term earlier this morning, and someone objected to it as being partisan. Both of these declarations are nonpartisan.

The Pittsburgh, Philadelphia and Selinsgrove hospitals are new. They have not enjoyed the full flower of their use to the Commonwealth until lately. In no respect can we go back to past budgets. I say to you that this was arbitrary and capricious action. They made it round figures, \$900,000, straight across the board. They have reduced it—yes, I am only talking about peanuts—by \$33,283, but peanuts compared to the children they care for. The good they do far outweighs the peanuts I am talking about, the \$33,283.

What do these things do? Perhaps some of you do not realize that they have cut this. These centers in Pittsburgh, Philadelphia and Selinsgrove tend, for the people, their abnormal children. They provide that these children will have free services to determine what type of a hospital and what type of care they need. In one case alone, they placed 600 children locally with voluntary doctors and good care.

I know what this means. A United Presbyterian minister and his wife had a child and tried to keep it themselves as long as they possibly could, in fairness to the rest of their family. They wanted to keep it at home. It is centers like these that enable them to do it, to serve their own and to help their own in the heartache and the pathetic atmosphere that a child with this affliction can cast over the pale of a household. Yet you say, cut it; make it round figures, just to be arbitrary. Where is the justification? Do not say that you have increased this budget? This is a line item.

It was arbitrary and capricious action of the highest order, in the worst field, and I have never seen anything as arbitrary since I have existed.

Mr. PECHAN. Mr. President, the gentleman from Westmoreland County twice today referred to himself as a new Senator. Perhaps it would be wise if we show him the 1957-1959 budget. We are not cutting that budget. We are, for the Philadelphia, Pittsburgh and Selinsgrove

Central Diagnostic and Evaluation Centers, appropriating \$900,000, which is an increase of \$459,000, or double what we had last biennium.

"Do not say we are cutting the budget. We are increasing it almost one hundred per cent. In the Philadelphia area, you had \$789,000. We are increasing it to \$900,000, or an increase of \$111,000. You go on down to line 15, and you will find that we are setting up a new one and we are giving you \$800,000.

Mr. MAHADY. Senator, could we stick to the ones we are talking about?

Mr. PECHAN. You mentioned the others, so I mentioned them, too. You talked about Philadelphia and you talked about Selinsgrove. You add them all up and you will find we are giving \$1,500,000 more than you spent in the last biennium. Therefore, do not talk about cuts. Let us stick to the figures. We are increasing the budget by that amount over the last biennium.

Mr. MAHADY. Mr. President, if the honorable gentleman would have listened to me, he would have heard me say that Philadelphia was the only one in operation when the last budget was made; that none of them have had a full biennium and that Selinsgrove is not quite complete. It is not only beginning to fill up, but it is almost full. Pittsburgh is new also. You had no experience to go on in the past biennium for this, and you did have deficits for them. You have now, for the first time, three full-flowered institutions, and for these three institutions you were told how much would be required to operate them. You have been arbitrary.

Tell me then, why did you knock out \$33,283? Under what logic did you arrive at it?

Mr. PECHAN. They arrived at the figure of \$933,283. How did they arrive at that figure? Can you tell me?

You talk about Selinsgrove. Mr. President, I want the gentleman to know that Selinsgrove has been in operation for a long, long time. In fact, they cannot take any more cases, so they tell us. Therefore, do not say that the place is not filled up.

Mr. MAHADY. The place was not in full flower, I said. It was growing constantly during the biennium. It is a new institution.

Mr. PECHAN. Therefore, Mr. President, for the next biennium we are almost doubling the Appropriation that we had in the 1957-1959 budget.

Mr. MAHADY. Mr. President, I seem to be getting nowhere with the idea that I have been trying to put across; that where there was previously one, there are now three. The fact that you are doubling the appropriation is not the important thing. Certainly, if you were logical, you would say you would triple it. We are not asking for that. We are asking for the measly \$33,283 for one of the most unfortunate parts of public welfare, the most deserving part, where we are trying to keep the unfortunate child close to his home. This is where they come in and come out. They service them.

In this, and in this only, it should appeal to heartstrings and not to, I would say talk or political action.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. MAHADY and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. MAHADY. Mr. President, at this time I would like to offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The PRESIDENT. The Clerk will read the amendment. The amendment was read by the Clerk as follows:

Amend Sec. 2, page 38, line 14, by striking out "\$900,000" and inserting: "\$932,157."

On the question,

Will the Senate agree to the amendment?

Mr. MAHADY. Mr. President, realizing that my pleas fall on deaf ears after hearing that last vote where there is a waiting list of 3,000 children, which is increasing by 100 every month, I will make these remarks short, for I feel that even the basic pride of humanity, the consideration of those who are unfortunate, is falling on deaf ears for political purposes.

The Eastern Mental Health Center is affected here. Again, you may call it peanuts, but the \$32,157 means eight additional people who can service these mentally ill people. Now how do they service them? Again, there is the question of the home. These people who are mentally ill come into the center and are examined. Many times they can be kept at home if they can be treated at this place, the Eastern Mental Health Center.

As you know, there are plans for a Western Center which are not yet mature, but they are on the drawing board, and I hope and I pray to God that it may flower into fruition, because this is a great service, a service which determines many times to get a person into a place where he can be cured.

We have departed from the old theme where people who have mental ills are put in a bastille, closed up and forgotten for the rest of their lives. Here is a place where we say we will treat them. Even when we discharge them from the mental institutions, this is the place they come back to in order to be treated so they can stay at home and they do not have to be kept in such an environment.

I would say to you, again this is a matter of heart. You have said where people are concerned, cost should not be counted. Let us see you vote that way.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. MAHADY and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Slivert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Kopriver, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. STIEFEL. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

This amendment pertains to that portion of the bill which deals with the history of Pennsylvania.

The PRESIDENT. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 17, line 19, by striking out "\$1,157,839" and inserting: "\$1,249,349."

On the question,

Will the Senate agree to the amendment?

Mr. STIEFEL. Mr. President. I happen to be one of the two members from the Senate who are serving on the Historical and Museum Commission of Pennsylvania. For this reason, I speak from knowledge and I fear the worst in what is going to happen if this cut of \$91,500 is permitted to remain.

It all reminds me of the exclamation which King David made while he was hiding in a cave in the desert. He said to King Saul, "After whom are you chasing, a mosquito?" This is chasing after a mosquito.

I am surprised that a man whom I highly respect even though he is on the other side, Senator Kessler, permitted this to happen. They speak of the people in Lancaster County as people who are very frugal. It is about time someone started a case against them in the Federal Court, on behalf of the Indian on the nickel because they squeeze the nickel so much that the Indian rides on the back of the bison.

In Lancaster, there has been developed the so-called Landis Valley Farm Museum which, day in and day out, sees hundreds of thousands of people from all over the United States flocking to Lancaster County, on the outskirts of the city of Lancaster, to see a reproduction of farms and farm life in the beginning of the Nineteenth Century.

Many other places in Pennsylvania have become meccas for tourists from all over the United States. Especially now with the approach of the centennial of the Civil War, Gettysburg is going to attract millions upon millions of people, and by cutting this \$91,500 from this budget, we are setting in retrogress all of the work of the Historical Commission of Pennsylvania. I cannot imagine how this can be permitted, or how the work of accumulating historical data about the arsenal of democracy during the Civil War would not be given stimulus. For this reason, I am appealing to the majority to relent and to restore the cut of \$91,500.

A good friend of mine, who majored in modern eco-

nomics, has been placed in the position that he is facing a very bright future. This friend of mine was even the author of a catalogue of the historical sites in Pennsylvania. He so much became imbued with that economizing spirit that he refuses to lend a hand to re-issue this catalogue. I am referring to the great Senator from Erie, Senator Blass. Here is a handiwork which has been placed throughout the United States. It is a catalogue of the historical sites in Pennsylvania, which is being asked for all over the United States and it is not available. I offered a resolution to have it re-issued, and he simply pickled it in his committee and it will never see the light of day. This is the history of Pennsylvania.

I do not think there is anything more sacred than the preservation of the glorious past of Pennsylvania and stimulating attractions for the tourists.

What is wrong with developing the Landis Valley Farm Museum in Lancaster? I think that Senator Kessler should have been the champion of it, and yet he was passive about the matter. If we lose tourists, if we lose business in Pennsylvania, it will be far in excess of the \$91,000 which we are saving here.

I am appealing to the majority to make an exception today and vote for these amendments, and restore the cut of \$91,500.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the negative.

Mr. SEYLER. Mr. President, I would yield to the gentleman from Philadelphia, who has other amendments to offer.

Mr. MULLIN. Mr. President, for the sake of saving time, I offer three amendments to House Bill No. 2326, Printer's No. 1704, and ask for their immediate consideration and adoption.

The PRESIDENT. The Clerk will read the amendments. The amendments were read my the Clerk as follows:

Amend Sec. 2, page 39, line 6, by striking out "\$318,706" and inserting: "\$618,706"; Amend Sec. 2, page 39, line 19, by striking out "\$19,000,000" and inserting: "\$19,526,883"; Amend Section 10, page 67, lines 16, 17, 18, 19 and 20, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

Mr. MULLIN. Mr. President, one of these amendments has to do with youth forestry camps.

Since 1956, Pennsylvania has established two youth forestry camps. The program of these camps for the personal and social adjustment of juvenile delinquent boys has been very successful. The close relationship developed between the campers and the counselors as they work with each other and live together formulates the growing-up process and achieves a greater degree of stability in the boys.

The stay of one boy is from four to eight months, with an average turnover of two and one-half the capacity of each camp each year.

The \$300,000 in question would enable each of the two existing camps to be expanded to fifty beds each from the present capacity of twenty and twenty-five beds, and the establishment of a third camp of twenty-five beds. This would enable a total expansion of eighty beds within the

next biennium: fifty beds for eighteen months, and thirty beds for six months. By the end of the biennium, a total of 125 boys could be accommodated in the State's forestry camps.

Everybody knows that this is a beginning and it is not exactly experimentation, because the excellent results of these camps were shown by the National Youth Administration in the camps established during the thirties, during the depression, when the boys were taken into these forestry camps.

It is not just a one-way proposition, because in these camps the boys perform work in the forests, and these hours of work are a benefit to the Commonwealth.

Camp Number One is at Raccoon State Park, where twenty-five boys are located, and camp Number Two is at Hickory Run State Park.

The man hours performed in these two camps to date are—by the way, Camp Number One has seventy-eight boys and Camp Number Two, fifty seven—25,420 days and the per capita cost was \$7,800. The total man hours worked were 55,980. If this were evaluated at one dollar per hour, the benefit to the State, to the forests and the financial benefit, would be \$55,980.

This program has been praised in all of the newspapers of the Commonwealth, and an attempt at this time to widen that program would be very beneficial to the Commonwealth. These camps were praised especially in an editorial in *The Philadelphia Inquirer* just a couple of days ago. *The Inquirer* stated:

"It is regrettable that the State Legislature so far has refused to up funds for the enlargement of Pennsylvania's two youth forest camps.

"The program of Governor Lawrence which calls for \$618,000 for the 1959-1961 period would not only double the capacity of the present camps but provide the necessary money to build a new one.

"Certainly this is not an excessive amount to spend on facilities that have—in the two years since their creation—proved their worth in the rehabilitation of wayward youngsters.

"During the Thirties, when the Civilian Conservation Corps was in full swing, it was shown that constructive activity was beneficial to youth. It kept them off the streets, gave them something worth while to do and paid them for their work . . ."

In Philadelphia, we have a miniature conservation corps working in Fairmount Park, where we have forty or fifty boys working with counselors. The boys in that case are paid for their work, and this is shown to be reducing our juvenile delinquency problem. If you will look at the recent records in Philadelphia, you will find that the number of juvenile delinquents in Philadelphia—and I believe this is the only city in the Country—has diminished during the last few months.

This is an investment which pays for itself, and will eventually pay for itself. I hope that a different viewpoint is taken by the Majority on this cut.

Mr. President, regarding my second amendment, a \$526,883 cut is proposed for the State general hospitals, which are located mostly in the anthracite mining areas, and there may be one in the bituminous area. These hospitals are very much a problem which the State inherited when the anthracite mines were going at full swing. This reduction in the appropriation for the operation and maintenance of these hospitals is certainly completely

without justification. It indicates that the reduction was made without any real basis because the amount of money by which they were reduced is exactly the last six digits of the complete appropriation. They just merely lopped off the six odd digits and called it a reduction.

These hospitals were built more than fifty years ago. Their equipment, plumbing, heating, and wiring have deteriorated to the point of being dangerous to the patients in the hospital, as well as to the staff. In other cases, they are so obsolete as to be wastefully expensive to operate.

The budget for these institutions included \$800,000 for essential, non-recurring repairs and maintenance. Is it the intention of this Body, or of the Senate Appropriations Committee, to say that only sixty-five per cent of this \$800,000 of essential work should be done? Or should the personnel of these hospitals be cut back to the point where there would begin to be serious deficiencies in the care of the patients? There are already three of these hospitals, Coaldale, Locust Mountain and Nanticoke, with partially unused facilities, including an entire wing of the Nanticoke State Hospital, because of the lack of personnel to staff them.

I could enumerate some of the things that are needed in the other hospitals. In the Ashland State Hospital, any jolt from high winds would cause the skylights to fall out. They might fall on a patient. In the same hospitals, the chimneys are numerous and are not used. These could topple over with a jolt and cause serious injury to a patient or a visitor. The buildings date back to 1880. It would appear that some areas had never been given proper maintenance attention. Ashland State Hospital has its own water supply, without proper attention to the reservoir, and contamination of water could result. The wards are large. The call bell system does not locate a patient. A patient in serious distress could become critical while the nurse is trying to locate the patient who is ringing.

The Blossburg State Hospital is in an area where the winters are severe. It has one boiler, and while it is being cleaned or inspected, the entire institution is without heat or hot water. Imagine an emergency shut-down of the boiler in the dead of winter.

In the Coaldale State Hospital, to keep within the complement of personnel set and, at the same time, be able to give patients care, Coaldale has cut back on the number of personnel in other than direct patient care departments. In time, maintenance, office functions and so forth will suffer and patients will have to be neglected.

In the Connellsville State Hospital, the laundry equipment has never been increased since this hospital had seventy-five beds. It now has a total complement of 177 beds and with new construction, this will become 200. Washers are now being overloaded and overworked. This could result in unsatisfactory washing process and cause serious skin infections to the newborn or to any of the patients.

At the Hazleton State Hospital, the teaching programs are good. The nursing school has national accreditation. To lose this would mean girls from this area would be forced to go away from the area for training.

In the Locust Mountain State Hospital, we would not want a tank of oxygen to explode causing permanent injury or death before we could provide safe storage.

In the Nanticoke State Hospital, because beds were

not available, serious accident cases and cardiac cases had to be sent to Wilkes-Barre for care.

At the Philipsburg State Hospital, plaster is falling down in some sections of the hospital, due to leakage. Better repair is necessary before the ceiling falls.

In the Scranton State Hospital, our largest hospital, all patients are admitted in the emergency room. I have seen serious accident cases wheeled into the same room where a new patient is being interviewed.

Present facilities at the Shamokin State Hospital are crowded, creating an impossible condition to administer proper care to patients. There is only one small room to care for children. Seven children in this room are very frequent, when it should accommodate only four. At times children are in the adult ward.

In the Bureau of State Hospitals, Harrisburg, additional consultants are needed to guide the ten hospitals in the development of better and modern standards of function. As mentioned before, these hospitals would not pass inspection, would not meet minimum requirements as determined by our own department for other hospitals in the State. The areas where consultants are needed are in medical records, medical-social work, laboratory and dietary. We have two hospitals without dietitians.

I mentioned this, and I mentioned it in full so that the Senators from those Districts can realize the needs in their hospitals. I hope they will stand up for them.

Mr. LANE. Mr. President, I want to speak on forest camps. We have not passed that, have we? Because the Senator was speaking on two subjects at the same time, I did not understand.

Mr. President and Members of the Senate, I feel that this cut, as far as forest camps are concerned, is rather penny-wise and pound-foolish. I recall that over the years here in this Senate, various Members have endeavored to bring about some correction in juvenile delinquency. As a matter of fact, Senator Pechan, himself, a couple of years ago succeeded in passing what I called at that time Kiddie Car Bill. We now have legislation which passed the Senate not long ago in regard to juvenile delinquency.

I do not believe that we actually fully realize the magnitude of this problem here in Pennsylvania. I believe that less money has been spent on juvenile delinquency than any other problem that we have in this State. I believe forest camps are a good thing for two reasons: Number one, it gets these delinquents out in the air. Number two, they have the opportunity to use their muscles and, in most cases, get rid of their excess energy.

Years ago, when I was a boy, we did not have to have forest camps because I was reared on a farm. I got up at 5:00 o'clock, in the morning, and I did not have much excess energy when 9:00 o'clock at night came. However, things have changed today. We have a problem that we must hit head-on. I know that the Republicans want to make a record, and they want to make a cut. They want to show the people of Pennsylvania that they are economy-minded. If they would review this chart put out by the Department of Public Welfare, they would find that in 1958, there were 16,563 children incarcerated either in detention homes or in prisons.

I might say also, Mr. President, that going over a few of them, for the information of the Membership, there were 4,210 from Allegheny County. Going down the line, there were 271 from Dauphin County, 872 from Delaware

County, 327 from Lackawanna County, 140 from Lawrence County, 426 from Montgomery County and 7,285 from Philadelphia County. In my county of Washington, there were 162 and from Westmoreland County, there were 281. However, the over-all total is 16,563 children detained in institutions in Pennsylvania in 1958.

From my experience, Mr. President, I have found that when children are detained in institutions, in most cases, they associate with boys and girls that are completely bad, and one bad apple will spoil a barrel. I believe what we should do is try to segregate these children by ages, get them out in the air, keep them busy and get them out of institutions.

I believe this cut was ill-advised on the part of the Republicans. The \$300,000 could probably have been cut somewhere else.

These forest camps appear to be very popular. I know Senator Pechan said they had one over at Raccoon Park where they had sixteen people taking care of six children and one ran away. That may be true, but it is awfully hard to believe. I believe that Senator Pechan received the wrong information there.

O course, remember this, too. The top hats here in Harrisburg cannot always control every individual whom they might hire. I believe even the Republicans made some mistakes on the hiring of people. Therefore, it is a human frailty, and there is not much we can do about that.

However, we should not scuttle this program because of something that might have happened at Raccoon Park. I do believe—and I am very sincere when I make this statement and it is not for political purposes—those fellows over there planned on making these cuts and then taking the bill into a Conference Committee to iron something out. We, on this side, have a responsibility. We have a responsibility as representatives of this Administration. We must point out to the Members on the other side the dangers which we feel exist. Senator Pechan, are you listening to me?

Mr. PECHAN. Very intently.

Mr. LANE. Are you going to reply?

Mr. PECHAN. I always do. You are my favorite target. I love you.

Mr. LANE. Well then, I hope you vote with me on this amendment, because this is a very good one, Doc. You seem to have an interest in it because you sponsored juvenile delinquency legislation, and you surely should go down the line with this.

I do not have too much to say, Mr. President. I will now listen to Doctor Pechan. If he wishes to interrogate me, I will say to him that if he can ask me an intelligent question, I will give him an intelligent answer, and if he asks me a simple question, I will give him a simple answer.

Mr. PECHAN. Mr. President, I am going to speak on these two amendments very briefly. We have been here a long time, and what I am going to say is just going to reiterate what I have been saying about the other amendments.

The gentlemen keep talking about cuts. We are giving them increases. In last year's budget for forest camps, an appropriation of \$318,706 was made. This year we are giving an increase of \$118,000. That is almost a thirty-three per cent increase.

I would like to say, Mr. President, that Senator Lane quoted me as saying one boy ran away. There were five boys that ran away, not one. I read it in the Pittsburgh Press, and we had people who substantiated that. Be that as it may, boys will run away.

I have figures here which I think come from the Department of Welfare. In May of 1957, when this program was started, in Forestry Camp Number One, there were eleven staff members for six boys, which makes an average of two staff members for one boy. Just think of it. By December of that year, there were seven staff members and twenty boys, which made an average of 3.0. In December 1958, there were nine staff members and nineteen boys, which brought down the average to 2.1. In 1959, in April, there were nine staff members and twenty-four boys, which brings it to an average of 2.7.

In Forestry Camp Number Two, in October of 1957—evidently it started a little later—there was a staff of two people with three boys, which made an average of 1.5. In December, there were seven staff members, ten boys, or an average of 1.4. By December of 1958, there were eight staff members and sixteen boys, which made an average of two boys per staff member. In April of 1959, there were eight staff members with twenty boys, which makes an average of 2.5.

Now they are beginning to learn. Perhaps by the next biennium, if someone does a good job, we will help. However, to train people to go to other States, I do not believe Pennsylvania taxpayers' money should be spent on an experiment.

Just this morning I watched Eddie Cantor on Dave Garroway's show and they were talking about juvenile delinquents. As you know, I have been very interested in the juvenile delinquency problem. I introduced a bill which was before us, Senate Bill No. 7, which is the same as House Bill No. 141. House Bill No. 141 passed this year, making parents responsible for some of the malicious crimes that these children commit.

Before I leave that subject, I want to tell you what the Bureau of Correction does in its forestry camp. They have fifty boys with just a staff of three people. If they can do it, and do a job with three staff members for fifty people, maybe when the Department of Public Welfare learns how to do it, we will go along.

There is no argument that there is a place in our government for forestry camps, just like there was for the C. C. C. camps during the depression. However, just to arbitrarily give money to set up forestry camps, and not know where we are going, I do not believe in it.

We are giving you \$112,000 more than you had during the last biennium, which is an increase of thirty-three per cent.

I am going to sit down, Mr. President. What happened to the President? Mr. President—

The PRESIDENT. You lost me, Senator Pechan.

Mr. PECHAN. Mr. President, I want to talk on the second amendment which the gentleman from Philadelphia offered, restoring \$526,000 for State hospitals.

The PRESIDENT. I expected when I recognized you that you would speak on the other two amendments.

Mr. PECHAN. He talked on two of them. May I do so because I want to sit down then?

The President. He talked on two and you may as well talk on two.

Mr. LANE. Mr. President, I only talked on one amendment. I want to answer him on the first amendment.

Mr. PECHAN. I have not asked to question you, Senator Lane, but I will, if you would like to be questioned.

Mr. LANE. Anything you say. However, I still wish to interrogate Senator Pechan on the first amendment.

Mr. PECHAN. I still have the floor, do I not, Mr. President?

Mr. LANE. O.K. Does he have the floor, Mr. President? He gave it up. Why does he want to talk on the second one when I have not finished with the first one?

The PRESIDENT. I thought for the moment that he had given it up but, really, he had asked to speak on both amendments at the moment he started to talk.

Senator Mullin was given the privilege of presenting the three amendments, and then he talked on the three, seriatim.

Mr. MULLIN. Mr. President, I presented three, but I only discussed two of them.

The PRESIDENT. Well, I would not have known, Senator.

Mr. PECHAN. May I make it easy for you?

The PRESIDENT. It will be a pleasure.

Mr. PECHAN. I will accede to the gentleman. I agree to be questioned, if he wants to question me.

The PRESIDENT. Senator Lane, I believe you mentioned that you wished to reply to Senator Pechan on the amendment upon which he spoke first.

Mr. LANE. On the first amendment, and on his Fifth amendment.

The PRESIDENT. Are you going to reply to him on the second amendment? He has not explored that yet.

Mr. LANE. Mr. President, I did not discuss the second amendment. I just discussed the first one.

The PRESIDENT. Senator Lane, you have the floor.

Mr. LANE. Mr. President, actually I am surprised at Senator Pechan. He has been around here a long time, and I have heard him talk here today about educating people and having them go out of the State. Now, Senator Pechan, you well know—and you know that you know—that we appropriate money to the medical schools of Pennsylvania, and you know that all of the doctors whom we help to educate do not stay in Pennsylvania. The same applies when we are appropriating money for Teachers' Colleges here today. You know very well that all the teachers whom we educate in Pennsylvania are not going to teach in Pennsylvania.

Then you talked about the amount of money that you have allocated to forest camps over the years. I want you to know, my dear friend, that we are planning three forest camps here in Pennsylvania.

You talked about the number of personnel that supervise the boys who are in these forest camps. You know very well—you happen to be a doctor, you are a dentist and you are pretty well educated I believe—that there are fixed costs in every institution. As a matter of fact, Senator Stevenson stood on the floor and said, in regard to fixed costs, that we must allocate additional funds to various Teachers' Colleges because they do not have the pupil population. The fixed costs are there. So whether there be one or 100, it does not make much difference as far as fixed costs are concerned, because the institution must be maintained.

You argue about one caretaker for two boys, and so

forth. As a matter of fact, when the time comes that we have the population in these forest camps, the costs will not be any greater to any great amount. You know that yourself.

We had some arguments here about giving us raises. You gentlemen over there have ignored entirely the Office of Administration, you have ignored the Budget Bureau and you have ignored the Governor's Office altogether because it suits your own figures. You are not going to get away with it because the bills are going in to Conference Committees. However, just to keep the record straight, let us not talk about educating people in Pennsylvania and the amount of money that is being wasted. If we are going to stop educating people here and we are going to tie them in Pennsylvania, we had better pass some new laws. It is silly on your part. You have a very silly argument because it will not hold water, and you know it will not.

We have argued this over the years. Years ago, I think there was an amendmet sponsored here to prohibit anyone who worked for the Department of Public Welfare to leave Pennsylvania, or words to that effect. We have not come to the state where there is peonage in Pennsylvania. It is absolutely ridiculous.

Let us not have those arguments, Doctor Pechan. If you have something good to put up O.K. If not, then I do not think you should talk.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. Lane. I will, Mr. President.

Mr. Berger. Mr. President, I just want to ask one question. What is the capacity of each of the two camps that are in existence and operation?

Mr. LANE. I do not know, but I can find out very quickly.

Mr. BERGER. Mr. President, I believe that Senator Mullin said the capacity was twenty-five. I am not interrogating him, but that is my recollection. I believe it is accurate. They intended to increase the capacity to fifty in each camp and add a third camp.

That being correct, Mr. President, according to the figures that Senator Pechan gave—and I believe they are also accurate—the greatest number of boys at any one time in forestry Camp Number One was twenty-four, and the greatest number in Camp Number Two was twenty. Consequently, Mr. President, neither of these camps has ever been filled to capacity, and the amount appropriated in this bill for forestry camps would indicate that it is amply sufficient to take care of the probable expense of these camps, even if they add a third one, for the reason that the fifty-bed figure does not seem to be realistic in view of what they have done with the twenty-five bed capacity camp.

Mr. LANE. Mr. President, in all fairness, we must agree that this is a new venture. In all fairness, Mr. President, we cannot compare a Department of Public Welfare rehabilitation camp to a penal institution under the Department of Public Instruction. What we are endeavoring to do in forest camps is rehabilitate these children and keep them out of penal institutions.

Over in western Pennsylvania, when we see a young boy or girl committed to an institution, we generally

figure that they will serve their time there and graduate to the penitentiary. I think that an ounce of prevention is worth a pound of cure; that the money we spend for rehabilitation of juveniles is money that is well spent because, in most cases, where a concentrated effort is made, these boys and girls are rehabilitated and they eventually become good citizens and live a happy, normal life. I do not believe that we are making a mistake by spending this money, and I will be glad to defend it anywhere.

Mr. WEINER. Mr. President, if we are going to be very accurate here, I think we ought to recall that in the 1955-1957 biennium, when these camps were founded and started, the money came too late to be used in that biennium. Therefore, we carried it over into the 1957-1959 biennium, but the camps were not fully opened. As in all institutions, when you open a hospital for the first time, you will find that you have to have it fully staffed. That does not mean that you are going to have a hospital full of patients either.

In this situation, you have boys who are mentally disturbed and who are emotionally disturbed, and you cannot treat them as you would people who behave normally, who may have a cut finger or a broken arm. You must also realize that these people who work in these camps can only work a forty hour week, and, therefore, you must have enough people to cover the entire situation around the clock, if necessary. Therefore, you may always find this situation, just as in hospitals they are to have two personnel for every patient in there, whether they be nurses, maintenance personnel or just plain people who run and clean the floors.

The same thing is true in these camps. Eventually, as we get more and more into this type of activity, we will find that these places will fill up and we will need more personnel to handle these emotionally disturbed young people. Therefore, I think you cannot gauge the personnel who run the center against the number of people in there.

If you prevent even one boy from killing someone, hurting someone seriously or maiming them for the rest of their life, I think the money used for these centers will be well spent, and something that we will be very proud to have done, rather than cut it back or do anything to keep one young man out of there.

I am sure that in new Jersey, in the Camden area, if they had kept this young man, Unruh, who killed all those people, contained in some area where his disturbance could have become known, it would have saved the lives of five or six people who are no longer with us, due to this young man's disturbance and his activity.

Mr. BERGER. Very briefly, Mr. President, I want to say that I was one of the strongest advocates of this program when it was proposed, and I still am. However, I am very disappointed at the number of people they have been able to take care of for the amount of money that was appropriated and that we are appropriation now. I believe the program should be developed, but I believe, also, that it might have been developed to a little greater extent than appears from the number of people who have been in this camp, a maximum of twenty-four. At one time, the population was down to six. It seems to me, Mr. President, it would be well for this program to go forward and that it can go forward on the appropriation we are providing in this bill.

Mr. MALLERY. Mr. President, I was very much interested in the discussion that has just taken place. However, I was rather shocked to learn how few children are being taken care of in these camps. I could not help but recall the wonderful job that the Kiwanis Clubs, in Blair County, are doing for dependent and neglected children. I am not a member of the Kiwanis Club, but I have helped with their train ride, "The Glory Ride," which they have about this time of year. They raise quite a little money to help with the cost of entertaining, during the summertime, the dependent and neglected children.

It does seem to me if that splendid club can do so much and if the State is going to do this—and I think everyone is in favor of it—more should be done. It is not just a matter of spending thousand of dollars. We ought to get results. We ought to have a report that there certainly are many more children taken care of than there are counselors. That is ridiculous in my mind.

Mr. LANE. I just wish to remind the gentleman and make a correction here. I have been advised by the Department of Public Welfare that in the last biennium, they took care of 135 children in these forestry camps.

Mr. PECHAN. Mr. President, may I ask the gentleman is that cumulative?

Mr. LANE. Yes, it is.

Mr. PECHAN. It is cumulative?

Mr. LANE. Yes. One hundred thirty-five children have been taken care of, because they do not keep on particular group in these permanently, you understand.

Mr. PECHAN. That is perfectly all right. However, they have never filled a camp. They have never had more than twenty-four people, and that was in April of 1959. They had six, seven, six, eight, twenty, fourteen, twenty and twenty. I do not say there have only been twenty boys cumulative. Certainly, I am hoping that, somewhere, something has been done for \$300,000 other than paying for counselors.

Mr. LANE. Mr. President, I think I have explained that they have taken care of 135 boys in this camp. All you have to do, Senator Pechan, is give them a chance. Give them a chance to develop this. I know they will do a good job.

Mr. MULLEN. Mr. President, at the present time, from the information I have, the two camps operating care for forty-five boys at a time. That is all the appropriation permits.

There is no question in my mind that with an additional appropriation to set them up, they can care for more boys at a time.

We are not caring for ordinary cases. These are people who would ordinarily go to institutions. The State sends 3,000 children every year to an institution. We are making a beginning and, I think, a good beginning in this direction. I think it is a problem that will continue to exist. Until we are able to abolish all slums and give a good home to all children, we will always have a delinquency problem. I think the State has made a good move, and I think they should continue to expand it as much as the Department of Public Welfare asks them to expand it.

Mr. MAHADY. Mr. President, I wish to summarize the over-all picture here, if I may.

There are forty-five beds in existence at one time. Over the biennium, they took care of 135 children. Now

it is true that at times they were not filled to capacity, but the mere fact that this is in the budget cases editorials to be written. Editorials appeared in the Evening News on September 18, 1959, the Evening Bulletin on September 11, 1959 and the Philadelphia Inquirer on September 12, 1959. The judges must know of these camps. They must assign the boys to them.

The potential of delinquency cases before juvenile courts in fifty-eight counties is 29,068 children. We find that the potential, if we look at all these figures—I do not like to bore you with a lot of figures at this time of the day. However, I say to you, this will grow.

The reason you have this argument here is that they do not realize that the forty-five beds have taken care of 135 children. We want to increase those to fifty beds each, and add a third camp with twenty-five beds.

There is one thing that has not been mentioned, or if it has been, it has been slid over. These boys, at one dollar an hour, have improved State Parks to the extent of \$55,980, building roads and trails, repairing tools and equipment, boundary line maintenance, dams, springs and pools, and I could go on with the things they are doing. They are not wasting their time there. They are beautifying the parks and they are working.

As they say, they agree to it in principal. However, I say to you that you cannot make a thing grow if you do not put the full force behind it. Either you are for this, or you are against it. There is no halfway. There is no compromise. Sure education has to be done. Even this debate today will help educate the judges to send these boys there.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. SEYLER and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. SEYLER. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

The PRESIDENT. The Clerk will read the amendment. The amendment was read by the Clerk as follows:

Amend Sec. 2, page 41, line 2, by striking out "\$106,-784,090" and inserting:
"\$116,784,090."

On the question,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, the amendments presently before the Senate would restore a cut of \$10,000,000,

which has been made by the Majority side to the appropriation for public assistance.

Mr. President, we have discussed in the last day and one-half a great many cuts which have been made in various parts of this appropriation bill. I think it might be interesting to speculate on what would be the reaction of an average citizen of Pennsylvania who is able to follow the discussions that we have had. He has listened to some rather interesting things.

He has heard the Majority side refuse to be interested in the proposition that law enforcement was going to suffer as a result of their cuts made for the State Police.

He has heard the Majority side refuse to be concerned about the loss of a survey of Pennsylvania resources because of a cut to the Department of Internal Affairs.

He has heard the Majority side refuse to listen to a plea for aid to the farmers, a lack of which will result because of the cuts made to the agricultural budget.

He has found them resistant to any concern for mine safety and subsidence, when the cuts in mines and mining were discussed.

He has heard a lack of interest in children's welfare and their parents and, as a matter of fact, in our national security when a discussion of the cuts made in the Department of Public Instruction's funds was before us.

Most recently, he has heard the Majority side of this Senate callous to any plea for the unfortunate people who come under the administration of the Public Welfare Department of this Commonwealth.

To "Mr. Average Citizen" who followed this debate, it might seem very peculiar that such an economy exists; that there are men on that side of the Senate and men on this side of the Senate who differ so strongly in these matters. He may feel that in view of the human misery that he sees about him and the human need, that the men who would take the position which the men on the Majority side have taken are, perhaps, monsters in human form.

I would like to assure him they are not monsters. Therefore, there remains the question, if they are not monsters, if they are husbands, fathers and representatives of their community, what is the reason then that this indifference to the requirements of the people in need—just to take the last subject we have discussed—is so apparent? I think the reason, Mr. President, is that the two sides of this Senate, perhaps, are operating with a different view in mind of what "Mr. Average Citizen" in Pennsylvania is like.

I think the stereotype which is motivating the actions of the Members on the other side, perhaps, is of a little, scrawny person who has his pocketbook clutched tightly in his hand to see that it will not be invaded, who has his other hand across his eyes so that he cannot see the people around him that are in need, that are suffering, and who, with his feet, perhaps is pushing away evidence that surrounds him which indicates that there is this human need.

On the other hand, on this side of the Senate, Mr. President, I think the Members are operating from a different picture of what "Mr. Average Citizen" in Pennsylvania is like. I think they see a rather strong and confident man in "Mr. Average Citizen"; a man who has a pocketbook, it is true, and who exhibits the usual prudence and caution that any man exhibits with regard to his personal

possessions, but a man who also has a heart, a man who also has his eyes open to human need and human suffering in the lives around him, and a man who is interested in the well-being of his fellow citizens.

If the opposition Members today have that kind of a stereotype that I mentioned in the first place, of the pocketbook, with feet and legs, being the symbol of "Mr. Average Citizen" in Pennsylvania, I think they are wrong. I do not think the average Pennsylvanian is that kind of a man at all. I think in addition to that pocketbook, he also is interested in affairs of the heart. He is a human being, and he is interested in the welfare of his human kind.

On the particular cut in appropriation that we are talking about today, we are on a subject which requires us to have in mind a true picture of what "Mr. Average Citizen" in Pennsylvania wants. I believe that he is dedicated to the proposition, since the 1930's at any rate, which was established in this Commonwealth, that no person shall go needy, untended, uncared for, unclothed or unhoused in this Commonwealth, because that is why we set up public assistance; not charity, but rather a consideration by all men for those members of their kind who are less fortunate, and who are unable to meet the needs of living.

There are two specific things that I would like to bring to the attention of the Members on the other side.

In the first place, I would like to call to their attention that one issue at stake in the cut which they have made in the appropriation for public assistance is the proposed increase of two dollars per month for those members who are on public assistance who are between the ages of eighteen and sixty-five.

Just to give a little background on this matter, let me say that in 1956, the State Board of Public Assistance had some question in their mind because of information received from many parts of the Commonwealth as to whether the allotments given for needy people, who required public assistance, were adequate. At that time, the State Board saw to it that a committee was appointed. It was known as the Woodbury Committee because of the chairman of the committee. The committee was appointed for studying the situation and finding out whether the grants given by the Department of Public Assistance were, in fact, adequate to meet the needs of those people who were suffering from want, and whether they were enough not to give them a luxurious type of living, but to meet the needs that every human being has for food, clothing and shelter.

The Woodbury Committee, composed of eminent citizens of this Commonwealth, studied the question and they brought in their report. That committee found that the grants we were then giving were thirty-three and one-third per cent below a standard of decency and necessity.

Since that time, Mr. President, it has been found possible to increase the aid to old age recipients,—that would be the class over sixty-five years of age, our senior citizens—so that the funds they were given were adequate to meet the standards set by the Woodbury Committee.

To our younger citizens, the children between five and eighteen years of age, who are members of families on public assistance, we granted an increase; not the full amount that should have been given, perhaps, but it was

found possible to give them an increase of two dollars per month.

This leaves one category of our citizens, namely, those between eighteen and sixty-five, a group of our citizens who are in robust mid-life, in the vigor of youth and middle age. To those citizens, we have not advanced these grants at all.

It was the proposal, if the Republican Senate had seen fit in their hearts to approve the amount asked and the amount granted by the House of Representatives, to give two dollars a month increase to these people so as to bring them somewhere near a standard which will provide for the necessities of life and decency. I regret to say that the gentlemen of the Senate on the Majority side have not seen fit to do this.

I would like to ask them today whether it is the intention, whether it is the conscious intention, of the Republican Members of this Senate to say that this two dollar increase for decency and necessity should not be given to our citizens in the category between eighteen and sixty-five. If they give an honest answer, and that is their answer, I will abide by it. However, I would like them to search their hearts to try to conjure a picture of what "Mr. Pennsylvania" is like; the Mr. Pennsylvania they represent as I represent him, too, and ask themselves whether those people back home want them to be so intent on grasping that pocketbook so that not a penny escapes and that they will forget the dictates of the heart which is within every human being.

The second point that I would like to make with the Republican Members of this Senate is the point that we have heard discussed before which occurs with regard to public assistance in perhaps a purer form, and with more acuity than it did with regard to any of the other parts of this appropriation which we discussed.

I think all of you gentlemen know, having been in the Senate in most cases much longer than I, that if you deduct money from a fund which is aimed to provide for the needs of our citizens, and if those needs have to be met, I think you realize that up to a certain limit, at least, this will be met and taken care of eventually by a deficiency appropriation. In other words, a deficit will result.

I would like to say that since 1945,—and I only have the figures with me from that year—the record shows that in every Session of the Legislature, whether it was in Republican hands or Democratic hands, the department, as a professional body, came up with an estimate of needs. I would like to say that the record shows, Mr. President,—and I have it right here before me and would be glad to read it to anyone who is interested if you do not take my word, but I give you my word—that those estimates made by the department of their need for the coming year, based on their estimate of the number of cases they would handle, was amazingly accurate. It was in some cases a bit low but, in general, it was accurate to the point of amazement when you are dealing with this large number.

I would say to you, in the first place, the department has a remarkable record for estimating accurately the need. However, what has been the situation? In a number of those biennia, Mr. President, the Legislature has not seen fit in making the appropriation to meet the need as indicated by the careful study of the department. The

result, gentlemen, as shown by this record, is that the amount of money asked for by the department, based on the need they estimated, was not met by appropriation. The result has been that each time we have come up with a rather large deficit, which resulted in a deficiency appropriation.

Mr. President, I would like to ask the Republican Members of the Senate, is it your deliberate intention in this respect and in others perhaps, but in this respect specifically, to see to it that there is a deficit? Are you determined to be, at the next legislative election and the next gubernatorial election, in a position to point and say, "They had a deficit, and that is the Governor's fault?" That, apparently, has been the record before. If you are planning to do that, then I think we should establish today, for the record, that a deficit is deliberately being planned and managed right now so that it will appear to embarrass the party of the governor in the next election. However, the truth, gentlemen, if my assumption is true, is that it will have been planned and managed by the party which is in the Majority in this Senate.

I asked the question because I think we should clear this ground. If this is not true, then I would like to know the reasoning which motivates this kind of cutting. If it is true, then I think we should let the voters of Pennsylvania know that now so that a case cannot be run a year from now or three years from now based on a record which is being made today.

Mr. President, as I have indicated, I have confidence from the past record that these were careful estimates as to the number of cases and the amount of money which would be needed, but, Mr. President, when these estimates were made, we had not yet suffered the impact of the steel strike, which has subsequently struck us. That occurrence was not included in these original estimates.

Senator Stevenson made an interesting point today. He justified raising the amounts above the original estimates which were to be given to Teachers' Colleges because, he said, in the mean time they found that the enrollments had increased.

Mr. President, I would like to say to Senator Stevenson and his colleagues, the enrollments are increasing every day in public assistance, and if it is a good idea to increase appropriations because you have a demonstration that enrollments in Teachers' Colleges have increased, then, I would say, that the same reasoning would apply to the increasing enrollment on the rolls of our public assistance. There is evidence, Mr. President, that this is occurring to us right now, and will occur to us in an increasing manner as this steel strike is projected.

Let me, Mr. President, substantiate my statements as to increased enrollment by reading a letter which I have here, which was written by the Secretary of this Department, Mrs. Horting, and addressed to Mr. Giesey, the Budget Secretary. Mrs. Horting says as follows:

"The budget estimate for August 1959 was 333,000 persons at a cost of \$23.03 per person in State funds. This amounts to \$7,600,000.

"The actual number of persons receiving assistance in August was 365,078 and actual costs were \$8,928,000.

"Thus the actual number of person receiving assistance in August was 35,078 more than the estimate, and the cost was \$1,328,000 in State funds

more than the estimate, or an average of \$37.86 per person."

Now, Mr. President, that is the situation to date. These are not imaginings of what might happen. This is happening and has happened. Our rolls of public assistance are increasing. We are not talking about a theory. We are facing a fact.

Mrs. Horting goes on:

"If the strike ends by September 30, 1959,"—parenthetically, neither Mrs. Horting nor I nor any of you know when this strike will end, but this is a projection of present experience to try to give an estimate of what might happen in the future—"we estimate that there will be a prolonged effort through November and that there will have been 218,574 additional person months of assistance at an additional cost of \$8,275,000 in State funds.

"If the strike ends by October 15 we estimate that there will be a prolonged effect through December and that there will be 321,578 additional person months of assistance at an additional cost of \$12,174,000 in State funds.

"If the strike ends by October 31 we estimate that there will be a prolonged effect through January and that there will be 436,078 additional person months of assistance at an additional cost of \$16,509,000 in State funds."

Mr. President, the cut in the appropriation of \$10,000,000 was a cut which was based on a careful study of the probable needs of the Commonwealth for the next biennium without taking into consideration the tremendous impact of this steel strike.

If this Senate were acting rationally today, Mr. President, we would be discussing how much more we should put into this fund so that the State can meet its obligation to the needy people of the Commonwealth during the next two years, instead of talking about a \$10,000,000 cut. To talk of a cut, with circumstances like this, must stagger the imagination of the average person on the street. A person who sees the need in his business for further expenditure and then ends up by proposing a cut in his expenditures would be a subject for one of our State institutions.

Apparently, what applies to a businessman does not apply to Members of this Senate. Members of this Senate walk around apparently sane, and certainly not certified by any physician, and suggest things and put things into statute which, if it were done by an ordinary person in the conduct of his own affairs in his normal business, would be grounds enough for his friends and relatives to go to a physician and have him examined and certified.

This is a serious situation and unless, as I said before, your objective is to purposely create a deficit so that you have something to talk about at the next election, this is not rational conduct and does not make sense.

In addition to the situation I have just mentioned, this strike, whenever it does end, its effect is not going to be spent, because we are going to have an aftereffect. You all know that there is a lag between the time when those steel mills will go to work and the first production of ingots start coming off and the time when they get used in production. In the meantime, even with the strike apparently over, there is going to be a definite problem for public assistance because people are not going to be able to go back to work the day the strike ends.

Our lakes have a habit of freezing, something for which

I cannot blame the gentlemen of the Senate. Even the Republicans cannot be blamed because Lake Erie freezes over. However, do you realize, gentlemen, when that lake does freeze over, the supply of iron ore is going to stop, and whenever we do go back, we are going to be able to use only the stock pile which is available and we are not going to be able to do much, even with the Senate willing, to get steel production started again on a full basis?

Therefore, I say to you, we are going to have an after-effect from this steel strike which is going to multiply the effect on public assistance.

Talking about this broadly may not, perhaps, bring this home to you. Let me give you some details on this problem. The applications, Mr. President, for public assistance since the onset of the steel strike have been rolling in, literally rolling in, as indicated by the figures I gave you in Mrs. Horting's letter. This has meant a tremendous need for activity on the part of the department. In the first place, there is the problem of extra personnel in the counties.

I might say, for any of you who would question this fact, that the county personnel are paid for out of this appropriation about which we are talking right now. There has been a tremendous need for personnel. Where are we going to be able to get the people who would be able to handle and process all of the tremendous increase in applications which have come in?

I will tell you what they did. In Allegheny County alone, they had to put on eighty case workers. You do not just go out and get eighty case workers, in addition to clerical help and all of the rest that is needed to process these applications.

The department has done the best it could. A lot of its people were entitled to vacations. The department has said to those people, "Do not take your vacations. We cannot spare you," and so those people have continued on the job.

Schoolteachers during the month of August, as you know, were on vacation. Many of those were brought in, given training courses and hired on a part-time basis so that this emergency could be met; similarly with buildings. The offices of the Department of Public Assistance in these areas were not adequate, so they used school buildings. School buildings are vacant during August. I know all of you who are interested in getting the maximum use out of a school building will be glad to know that the department commanded school buildings and put them to work. Of course, now the school term has begun, and so they have had to give that up and they have had to go and rent additional buildings.

All of this gives you an idea, perhaps, of the magnitude of the problem and the impact of the steel strike.

We have a tremendous problem in Pennsylvania and it is not limited to just a few places. I have before me here the report for the first half of September 1959, for the number of persons dependent on public assistance. I find that over the Commonwealth, at the present time, we have three and one-half per cent of our population who are receiving public assistance. In many counties, over five per cent—that is one in every twenty, gentlemen—of the people in the county are dependent on public assistance.

The following counties are those which have over five

per cent of their population dependent on public assistance: Bedford, Bradford, Cambria, Clearfield, Fulton, Huntington, Schuylkill, Somerset, Washington and Wyoming. Fayette County has the record in this respect. It has been hardest hit and has eleven and four-tenths per cent.

There is no question, Mr. President, that taking together this \$10,000,000 cut, the impact of the steel strike which is going to make a tremendous amount of more public assistance necessary, there will be a huge deficit. How much that deficit will be, I do not know. However, there will be one. It may be so large that it cannot be met by the ordinary procedures, that it cannot be taken care of belatedly by deficiency appropriation, and that it may make necessary a Special Session of the Legislature, in which case, I would hope that the Republican Members of this Senate would accept the full responsibility for any such results that might occur.

Therefore, Mr. President, I would like to leave two questions for the gentlemen on the other side to answer, through their chosen representative, perhaps the expert on public assistance, Senator Pechan. First of all, do the Republicans wish to be on record as intending, deliberately, to see to it that it is not possible to give the two dollars per month increase to the age group between eighteen and sixty-five? Secondly, is this a deliberate attempt to plan and manage a deficit so that it will appear at some later time as an advantage for political purposes? If that is not true, then the other question recurs; by what kind of thinking, in face of an unprecedented need for resources in this area, can you possibly advocate a \$10,000,000 cut in this particular budget?

Mr. President, I would like to now register my desire for a roll call.

Mr. PECHAN. Mr. President, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. PECHAN. You are making an impassioned plea for an additional \$10,000,000 which you say the Members on this side of the aisle cut out of the budget. We did not do any such thing. We raised the 1959-1961 budget over last year's budget by \$3,000,000.

I would like to ask the gentleman where he was when the four per cent sales tax was brought up for enactment. If it had not been for some of the Republican Members, I wonder where this money, about which you are talking, would come from.

Mr. SEYLER. Mr. President, I was at the same place as the gentleman opposite me was at that time.

Mr. President, in answer to the first part of the gentleman's question, it is true that this would represent an increase over the previous Session. However, I would point out to the gentleman, if he will examine the record, that over the years for 1945 to 1947, he would not be too much amazed by the fact that the amount spent on public assistance has increased. He would notice that during that era this was a rather constant process. It is certainly not surprising when you find out that there is an increase in the amount of public assistance. I wonder if the gentleman is aware that there have been times in the past—I would cite, for example, the 1949-1951 Ses-

sion of the Legislature—when the appropriation was \$186,100,000. That was back in 1949-1951.

Mr. President, perhaps this is a little bit different from some of the matters the gentleman is used to discussing in that the amount of money needed for public assistance does not depend on a steady progression of a certain percentage additional each year, but depends rather on the need, on the number of applicants and the number of cases which are approved for public assistance. This is a matter which neither the gentleman nor I can predict from one Session to another. It is rather silly to point out that there is an increase because I can point out to him, as I have already, that there were other years when there was an even larger appropriation granted.

Mr. PECHAN. I asked you one question, Senator Seyler. I asked you where you were when the four per cent sales tax was to be voted on. You said you were at the same place that I was.

I am not asking for \$10,000,000. I am trying to get it out of there. However, I introduced another bill which will bring in \$22,000,000 of additional revenue, whether you use it for education or public health and welfare. I cannot get one single vote because you are afraid that politically they are going to beat you over the head. You are afraid that every time somebody takes a drink at the bar, they are going to blame it on "Davy."

You are giving us the devil over here for cutting this budget. What did you tell your Governor when he cut the requests made by these various departments? Did you people go in there? The gentleman from Westmoreland used the word "arbitrarily." I wonder if Senator Mahady asked the Governor why he arbitrarily cut the demands which many of the department heads made.

Mr. President, it is an unfortunate and sad thing that we are having a steel strike. I am hoping that it will be straightened out within the next couple of days. However, does the gentleman on the other side realize that most of those people who are on strike and are receiving assistance are workers who signed a bond. Most of that money is going to be paid back. If the steel strike lasts until October 31, it is going to cost an additional \$5,000,000 more than was anticipated. If it lasts until November 15, it is going to cost \$7,000,000 additional. If it lasts until November 30, it will cost \$10,000,000 additional. However, most of that money will come back, because these people are workers who are going to be able to pay it back.

Mr. SEYLER. Mr. President, I would like to answer a couple of points which the gentleman made.

In the first place, I heard him say that he hopes the steel strike will end. Of course, we all hope that. However, a pious hope, Mr. President, expressed at a political forum like this is not going to mean much bread and butter on the tables of the people who need it. If the gentleman would back up his rather theoretical hoping with a little voting to do something about it, I think the people who need this money will be much more appreciative.

The second point, Mr. President, is that the gentleman stated quite correctly that when people go on relief, they are not getting something for nothing. They sign a lien and agree to pay it back. However, does the gentleman imagine that they are going to be able to pay it back next week, if they borrow it this week? If they receive assistance now, they are not going to be able to pay back

this money immediately. We are talking about a situation which will confront us in the next biennium. We are not talking about a couple of generations from now. We are talking about now. I am talking about a problem which is in front of us. We need the money in order for us to pay it out.

Mr. MAHADY. Mr. President, I want to draw the attention of everyone at this time to the fact that not only is this money paid back, but we have to have it to lend to the people in order to get it paid back. There is a necessity. Senator Seyler gave you the figures for August.

Let us get the real shock. I was asked whether I said anything to the Governor. I have been in the Governor's Office continuously, watching the progress on this matter. No one has been in there more than I have, watching the daily income and watching the daily outgo. I am very concerned with this budget.

On September 29, which was yesterday, there were 398,500 persons on the relief rolls, which is 40,000 more than the amount before. They are going on the rolls at the rate of 2,000 a day.

You say that you gave us a raise. We are talking about the amendment and let us stick to it. We are talking about the item on page 41, line 2. It was reduced \$10,000,000. On the basis of the number of people on the relief rolls as of yesterday, 398,500, we find that we will need not only that \$10,000,000, but \$8,275,000 more. For Senator Pechan's information, I have kept track of it. The least we might do is give this \$8,000,000.

Let me say to you that it was three men on the Republican side who introduced the bill to make it a crime to go over the budget. Yet here you are, saying, "We are creating a deficit. With the figures given to us, we will stand and vote twenty-eight votes. We know it is not enough, but this is all we will give you. We know that you will not resist the cries of one-half million people, with no hope and no chance of life."

Mr. BERGER. Mr. President, I believe it would be proper for me to inform the Chair, and the Members of the Senate, that the House of Representatives had hoped to receive this bill this afternoon. They sent word over that it is very difficult for them to remain there much longer.

Consequently, while we do not like to limit debate at all and do not intend to make any such motion, I do wish to bring it to the attention of the Members of the Senate and to the Chair.

RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

And the question recurring,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, recognizing the lateness of the hour in so far as the Members of the House are

concerned, and recognizing that House Bill No. 2326 will probably go to a Conference Committee, and being desirous of having this matter considered and a committee appointed in order for them to work on this matter before we have concluded, I would like to now offer the remaining amendments to this bill.

The PRESIDENT. Senator Weiner, would you yield until we dispose of the present amendment before the Senate?

Mr. WEINER. I am sorry, Mr. President. I thought that was finished.

The PRESIDENT. It has not been.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SEYLER and Mr. HAYS and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silver,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. WEINER. Mr. President, I offer amendments to House Bill No. 2326, Printer's No. 1704, and ask for their immediate consideration and adoption.

The PRESIDENT. The Clerk will read the amendments. The amendments were read by the Clerk as follows:

Amend Sec. 2, page 16, line 16, by striking out "15,466,263" and inserting: "16,294,638;" Amend Sec. 2, page 17, line 3, by striking out "\$19,000,000" and inserting: "\$19,285,000;" Amend Sec. 2, page 17, line 8, by striking out "3,114,000" and inserting: "6,414,000;" Amend Sec. 2, page 20, line 2, by striking out \$8,277,719" and inserting: "\$9,003,358;" Amend Sec. 2, page 20, line 11, by striking out "27,000,000" and inserting: "\$30,000,000."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I just would like to make two brief statements here before we move on to the vote on these amendments.

First, I think a rather heavy cut was made in the Department of Health. Eight hundred thousand dollars was cut out of this budget. I would like the gentlemen on the other side, who made this cut or who worked on it, to advise me at which point they want the Department of Health to cut off its services. Is it in the Silicosis Control Program? Is it in the Dental Care Program for Indigent Children? Is it in the cutting out of the Insect and Rodent Control Program, so that we may be facing the same problem which is sweeping southern New Jersey at this point? Is it in the Diabetic Detention Program? Is it in the Women's Hospital in Philadelphia.

This is the problem about which I spoke very briefly yesterday concerning the Senators who come from the

surrounding area, Montgomery, Chester, Bucks and Delaware. People with chronic diseases come to the Women's Hospital in Philadelphia. Fifty thousand dollars was cut out of the budget.

If they will advise us which programs they want the Department of Health to cut, if they will advise us which programs they feel are not proper or which are not being maintained, we will be very happy to accede to their wishes and will not ask for this money.

I would like to bring to the attention of all the Members the fact that there was a time when you introduced a bill to try to remove the Tax Equalization Board's final doings, as it had ascribed them for this year. You have taken this bill and put this amendment into it to do exactly what you were trying to do by this other type of legislation. Not only do I think this is an improper way of doing it,—and I think it is unconstitutional to handle it in this manner—but I think it is absolutely the wrong way to do it. If you are unhappy with the formula, I think you should change it and not use this method of doing it.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliot,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

Mr. LANE. Mr. President, I offer an amendment to House Bill No. 2326, Printer's No. 1704, and ask for its immediate consideration and adoption.

This amendment would restore the cut in the appropriation to the Department of Revenue.

The PRESIDENT. The Clerk will read the amendment. The amendment was read by the Clerk as follows:

Amend Sec. 2, page 43, line 9, by striking out "\$16,904,357" and inserting: "\$18,143,857."

On the question,

Will the Senate agree to the amendment?

Mr. LANE. Mr. President, in view of the lateness of the hour and the fact that we have received an ear bear beating, I will have certain prepared remarks inserted in the record. Incidentally, I had an hour and a half speech planned.

The PRESIDENT. The prepared remarks of the gentleman will be spread upon the record.

September 29, 1959

Mr. Chairman and Members of the Senate Democratic Caucus:

We are pleased to appear before you with reference to the proposed General Fund appro-

priation for the Department of Revenue for the 1959-61 biennium.

House Bill 2326 provides for an appropriation of \$18,141,857 for this Department and the Senate has proposed a reduction of \$1,237,000 to \$16,904,857.

The favorable reception given this Department's representatives by the Senate Committee last March and April indicated that it recognized our appropriation request was both prudent and honest. In those conferences, we provided full information and pointed out that the request did not provide for the administration, enforcement and collection of any additional taxes to be enacted by the Legislature subsequent to April 14, 1959. Since that date, approximately \$300,000,000 in additional taxes have been enacted into law, with no statutory appropriations.

While it is true that a substantial portion of these taxes represent two rate increases in the Sales and Use Tax, the Senate is well aware of the tens of thousands of new taxpayers directly obligated to the Commonwealth and the substantial statutory changes which make it mandatory to provide for additional operating costs, including trained enforcement personnel.

This Department is literally the Commonwealth's "cash register." For every appropriation dollar removed from our requirements, the Commonwealth must lose at least eight dollars in revenue.

In closing, permit me to inform you that the Commonwealth's revenues have regularly been overestimated since the 1951-53 biennium. It is a well known fact that the Legislature, regardless of Administration, has consistently been unwilling to appropriate sufficient moneys for this Department to enforce and collect the taxes levied.

These fallacies are again in evidence. We are, therefore, obligated to advise you that the present policy of the Senate Majority must result in another deficit at the end of this biennium.

Charles M. Dougherty
Secretary of Revenue

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVEUNE
HARRISBURG

Charles M. Dougherty September 24, 1959
Secretary

FOR IMMEDIATE RELEASE

The Republican-dominated Senate now proposes to reduce the House Appropriation Bill for the Department of Revenue by \$1,237,000.

Secretary of Revenue, Charles M. Dougherty said "this action is indeed regrettable and, if not corrected, will materially affect this Departments' ability to collect the revenues needed to balance the 1959-61 budget.

"The Senate's course is both alarming and amazing," the Secretary continued, "in view of the favorable reception given this Department by the Senate Appropriation Committee last March and April.

"At that time, the Committee appeared to recognize that our appropriation request of \$18,141,857, plus augmented funds of \$521,000, was both prudent and necessary.

"In our conferences, during which full information and supporting details were submitted and accepted, we pointed out that any added taxes enacted by the Legislature would have to contain statutory provision for additional funds for their administration, enforcement and collection by this Department.

"Not only has the Senate Majority failed to recognize our minimum appropriation requirements, but it has also failed to provide any appro-

priation whatsoever for the collection and enforcement of over \$300,000,000 in additional taxes enacted into law since April 14, 1959.

"While it is true that a substantial portion of the taxes recently levied represent rate increases in the Sales and Use Tax, the Senate is well aware of the tens of thousands of new taxpayers directly obligated to the Commonwealth and the substantial statutory changes which make provision for additional operating costs, including enforcement personnel, absolutely mandatory.

"This Department is literally the Commonwealth's 'cash register.' For every appropriation dollar removed from our requirements, the Com-

monwealth must lose at least eight dollars in revenue.

"By its attitude, the Senate Republican Majority continues to encourage, and must be held responsible for, increased tax evasion and the loss of substantial revenues.

"The public must be informed that the Republican members of the Senate have constantly been far more optimistic about revenue estimates than have our own budget technicians and independent researchers. At the same time, they are again unwilling to appropriate the money necessary to collect the taxes due the Commonwealth."

Research & Statistics Staff Division
Pennsylvania Department of Revenue
August 20, 1959
(EM-BS)

CHANGE IN ESTIMATE FOR SALES TAX RECEIPTS,
INCREASE DUE TO BROADENING OF BASE AND INCREASE IN RATE

Effect of Acts 14, 15, 98 and 258

(\$ Millions)

Coverage of Statute	Original Rate 24 Months ¹ (a)	3% Added 3 2/3 Months ² (May 1-Aug. 20 1959) (b)	1/2% Added 20 1/3 Months ³ (Aug. 20, 1959- Apr. 30, 1961) (c)	Estimated Total Sales Tax Receipts for 1959-61 Biennium (d)
Total—Selective Sales, Use and Hotel Occupancy Taxes	461.2	23.8	262.8	747.8
Coverage of Original 3% Law— PL 1228—March 7, 1956	461.2	11.1	119.5	591.8
Added Coverage under Acts 14, 15-98 April 15, and June 16, 1959				
Electricity		5.1	32.5	37.6
Telephone Service		3.7	23.3	27.0
Repair & Service Charge		3.0	19.2	22.2
Utility Maintenance, etc.		0.9	5.8	6.7
Restaurant "Take-Out" Food		0.03	0.16	0.19
Added Coverage under Act 258 August 20, 1959				
Alcoholic Beverages (at source)			38.8	38.8
Soft Drinks (at source)			6.2	6.2
Auto Inspection Service			0.9	0.9
Cleaning & Laundry Service			16.4	16.4

¹ Original estimate for 1959-61 Biennium based on old tax rate of 3% and coverage in PL 1228 March 6, 1956 for the entire biennium.

² Added increment based upon 1/2% increase in tax rate and additional coverage of Acts 14, 15 & 98 April 15, and June 16, 1959 for the first 3 2/3 months of the biennium.

³ Further increment based upon 1% increase in tax rate and additional coverage in Acts 14, 15, 98 and 258 for the remaining 20 1/3 months of the biennium.

Note: A bill (H 2315) increasing the Hotel Occupancy Tax rate has not yet been enacted. However, statistics above assume that the same rate of 4% will apply to this tax. This additional \$0.6 million which will be realized from the increased rate is included in the above estimates.

Mr. ELLIOT. Mr. President, I should like to inform the Chair and my colleagues in the Senate, particularly Senator Lane, that I was going to say something about the amendment that he offered. However, I did not have mine written out and I cannot hand it in. Therefore, I am not going to say it either.

The PRESIDENT. Thank you, too, Senator Elliott. And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the negative.

Mr. BARR. Mr. President, I have two amendments here which I would like to offer to this bill.

The PRESIDENT. The Clerk will read the amendments. The amendments were read by the Clerk as follows:

Amend Section 2, Page 32, lines 3 through 17, by striking out all of said lines; Amend Sec. 2, page 45, line 20, by striking out "\$500,000" and inserting: "\$726,183."

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, these two amendments are

in regard to the State Tax Equalization Board.

I can see what is being done on the other side. They want to change the rules in the middle of the game. They just do not like the facts of the report which was handed in this year. Therefore, they are trying to decrease the State Tax Equalization Board by thirty-one per cent. In other words, they are giving them less money than they even had in the last biennium. After all, it is a straight factual body where the money provided is for nothing but just salaries and determining the appraisals, as well as supervising outside expert real estate valuations and their appraisals.

Secondly, they have tried another little cute one on page 32 by trying to write the Berger-Wagner Bill into the appropriation bill, and I have been advised by the Attorney General's office that it has to be stricken out anyhow.

I ask for a roll call vote on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. BARR and Mr. WEINER, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Confair,	Koprivier, Jr.,	Propert,	Van Sant,
Chapman,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	
Harney,	McMenamin,		

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

REPORTS FROM COMMITTEES

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KOPRIVER, JR. from the Committee on Education, reported as amended, House Bill No. 1380, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color or national origin and prohibiting such discriminatory practices.

Mr. KELLER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KELLER, from the Committee on State Government, reported as committed, House Bill No. 117, entitled:

An Act amending the "State Employees' Retirement Law" of June 27, 1923 (P. L. 858), defining employees of re-development authorities as State employees.

He also, from the Committee on State Government, reported as committed, House Bill No. 795, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie, Washington Crossing Park and Valley Forge Park.

BILL INTRODUCED AND REFERRED

Mr. MULLIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MULLIN, KALMAN and MURRAY read in place and presented to the Chair Senate Bill No. 1214, entitled:

An Act increasing the compensation of certain State employees.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. SARRAF. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

MINORITY REPORT OF SPECIAL COMMITTEE TO INVESTIGATE THE ALLEGHENY COUNTY SANITARY AUTHORITY, PURSUANT TO SENATE RESOLUTION, SERIAL No. 27

Mr. SARRAF. Mr. President, I wish to offer the Minority Report of the Senate Committee on the Sanitary Authority of Allegheny County.

The PRESIDENT. The report will be printed in the Journal.

We dissent strongly from the findings, conclusions and recommendations of the Republican majority of this Committee. Their report finds no support in the record of the hearings held, and makes it obvious that the investigation was politically inspired and wholly uncalled for.

The Senate of Pennsylvania enjoined the Committee "to investigate the rate-making policy and the past and proposed expenditures of the Allegheny County Sanitary Authority." Despite five days of testimony during which the Authority produced numerous agreements, contracts, letters and other documents requested by the Senators and their counsel, the Committee was unable to uncover the slightest evidence of misconduct, wrongdoing or dishonesty on the part of the Authority's Board members, Executive Director or staff personnel.

The wording of the Resolution introduced by Senator Koprivier discloses the purely partisan and political nature of the inquiry. No evidence whatever was presented to support the charges made in the preamble of the Resolution that "organized groups of Allegheny County citizens have received discourteous and arrogant treatment from personnel of the Authority" and that such citizens "were given no indication for which undetermined sums of money have been or will be spent by the Authority." Also, the evidence clearly rebuts the charge that the Authority's proposed rates are unjust, unfair and excessive, and that the Authority has acted in a discriminatory manner as to its rates.

All five Senators on the Committee stated publicly that they had been greatly impressed with the high caliber of the membership of the Authority Board.

These members are professional men and business executives devoting their time, without compensation, to a great civic project. The Chairman of the Authority is Vice President and Chief Counsel of the Koppers Company. The Vice Chairman is the former Chief Engineer of the Jones and Laughlin Steel Corporation, and now a consulting engineer. The Secretary is a member of a prominent Pittsburgh law firm. The Treasurer is President of a large advertising company. The fifth member of the Board is a practicing attorney and City Councilman of Pittsburgh. We are confident that these outstanding men have not permitted and would not condone inefficiency, waste or incompetence, and that they have unselfishly devoted their best efforts to provide the public with the finest possible management of this \$100,000,000 project.

We believe firmly that it was an unwise move on the part of the Senate of Pennsylvania to subject men of such prominence and unquestioned integrity to the embarrassment and public censure implicit in Senator Koprivier's Resolution. This is not the way to encourage public-spirited citizens to sacrifice their time and lend their wisdom and experience to public affairs. We also decry the unsuccessful effort that was made by the Committee's counsel to discredit the Authority's Executive Director and Chief Engineer, John F. Laboon, and to destroy his reputation as one of the most outstanding sanitary engineers in America.

The hearing produced evidence bearing on three matters: (1) Design of the sewage treatment plant; (2) Rates, as they affect (a) the four Upper Allegheny Municipalities and (b) flat-rate water users; and (3) odorous operation of the plant. On two of these three matters the Authority, in our opinion, proved that it has acted efficiently, fairly and with the highest degree of professional and legal competence. As to the difficult and unpleasant odor problem, the Committee was assured that the Authority is continuing to do

everything possible to resolve this mechanical difficulty promptly and effectively.

(1) Design of the Sewage Treatment Plant

Counsel for the Committee attempted to establish that the Authority's newly completed sewage treatment plant is of an experimental, unproved design. The attempt failed abysmally. The evidence showed that the plant was designed by one of the leading firms of consulting engineers specializing in sewage treatment plants, Metcalf and Eddy of Boston. Counsel for the Committee tried to show that the method of sludge concentration used in the Authority's plant had been adopted without proof of its feasibility because it had been developed by Mr. Laboon, the Authority's Executive Director and Chief Engineer. But Mr. Laboon disclaimed credit for inventing the process. Mr. Edwin B. Cobb, partner of Metcalf and Eddy in charge of this project, testified that concentration by flotation is not new; that application of the method to sewage treatment had been thoroughly proved by a pilot plant, and that the process was being used upon the written recommendation of Metcalf and Eddy. Metcalf and Eddy, as the consulting engineers, took full responsibility for their recommended design and were staking their excellent reputation on it.

Counsel for the Committee further attempted to show that the method of sludge concentration was the cause of the odor which had been produced by the Authority's treatment plant. This point will be treated at greater length later in the Minority Report. However, the testimony of Mr. Charles W. Gordon, Project Engineer for Combustion Engineering, Inc., leading designers and builders of incinerators, was to the effect that the method of sludge concentration had nothing whatever to do with the production of odors, as it makes no difference to the incinerators how the sludge is concentrated so long as it is of proper concentration and has adequate heat value. Mr. Gordon further testified that the Committee counsel's informant, an office employee of the Combustion Engineering Company, is not an engineer and was "daydreaming." This informant was not produced as a witness, although two of the Senators requested the Committee's counsel to call him to testify under oath. Mr. Cobb testified that the Authority's plant would certainly produce satisfactory sludge for odorless incineration.

(2) Rates—(a) The Upper Allegheny Municipalities

The evidence clearly demonstrated that the Authority's rates are proper and in accordance with agreements freely entered into by the participating municipalities. The fact that the rates payable by people living in four of the 70 municipalities are higher than those applicable in the other 66 municipalities is due to the fact that the Authority, at the request and for the benefit of the four municipalities in question, built a three and one-half mile sewer extension, including three pumping stations and a river crossing, which cost the Authority \$1,000,000. This was done under the provisions of the so-called Upper Allegheny Agreement which had been duly executed by the municipalities involved and which had been fully advertised in the local newspapers. Two Councilmen of the Borough of Verona (one of the four municipalities in question) testified that the Authority had misrepresented the cost of service before the agreement was entered into by assuring them that the cost per family would be \$17.60 or, at most, \$20.00 per year, whereas their bills will now be considerably higher. However, the Authority introduced in evidence a letter sent to the

municipal officials of the four municipalities more than a year before the Agreement was entered into. The letter clearly informed these officials that the cost of service to them would be two and one-half to three and one-half times as high as the rates payable in the 66 municipalities, because they would have to pay extra charges, over and above the regular rates, to amortize the \$100,000,000 of Authority bonds which were issued to build the sewer extension that they had requested.

This arrangement was consistent with the Authority's fixed rate policy applicable equally to all 70 municipalities. The policy was that the Authority would build its main sewers along the shores of the Ohio, Allegheny and Monongahela Rivers, Chartiers Creek and Turtle Creek, and that each municipality would have to build whatever connecting sewers would be required to bring its sewage to the Authority's intercepting sewers. Thus, the testimony showed that in order to obtain service at the lower rates, several municipalities had expanded their own funds to build connecting sewers or had advanced the cost thereof to enable the Authority to build such connecting sewers for them. Ross Township had built, at its own expense, a three mile connecting sewer costing several hundred thousand dollars. The Borough of Trafford had paid the Authority \$30,000 which, together with the \$70,000 paid to the Authority by Westinghouse Electric Corporation, served to finance the extra cost which the Authority had expended in extending its intercepting sewer from Pitcairn to Trafford. The Borough of Monroeville had paid the Authority \$15,000 for revised plans of a larger sewer in the Turtle Creek Valley and, pursuant to its agreement with the Authority, is paying over \$30,000 per year to amortize the cost of \$435,000 of Authority bonds issued to finance construction of the larger sewer so designed to accommodate Monroeville.

The four Upper Allegheny Municipalities agreed to pay the cost of amortizing \$1,000,000 of Authority bonds. Now they would like to shift this burden to the 66 other municipalities. We agree with the Authority that this would be unfair and in violation of a formal agreement solemnly entered into.

(2) Rates—(b) Flat-rate Water Users

The evidence showed that water users in most of the Authority's service area have water meters. Sewer charges to these customers are based on the quantity of water used as shown by the meter readings.

However, there are over 20,000 unmetered water users in the City of Pittsburgh. There are about 4,000 more who live in three small municipalities which are wholly or in large measure unmetered. These people pay a flat-rate for water regardless of the amount of water used. In determining the sewer charges for flat-rate water users, the Authority charges 80% of the flat-rate water bill in Pittsburgh, and appropriate percentages of the water bills in the three other communities to yield the same average dollar amount per customer.

The Authority's witnesses explained that the reason the charge for flat-rate water users is considerably higher than for metered water users is that flat-rate water customers actually use much more water because their bill is not affected by the quantity of water used. The experience of sanitary engineers is that where water meters are installed in areas which were previously unmetered, the use of water drops by 50% to 66-2/3%, because the water user saves money by repairing water leaks and by being more careful in the use of water. Records of the City of Pitts-

burgh Water Department showed that the average domestic flat-rate water customer uses 160,000 gallons per year as compared with 60,000 gallons for the average metered water customer. If the Authority's sewer charge per 1,000 gallons of water for metered water users were applied to the actual quantity of water used by flat-rate water users, the bill would be even higher than 80% of the water bill. It thus appears that the Authority's flat-rate sewer charges are certainly not excessive or discriminatory. Moreover, any flat-rate water user may install a meter and thus become a metered sewage customer of the Authority. He would thus reduce not only his sewer bill but also his water bill.

(3) Odorous Operation of the Sewage Treatment Plant

A number of witnesses who live in the vicinity of the Authority's treatment plant testified that an obnoxious odor has been permeating their homes, and a petition of protest bearing 2,673 signatures was presented to the Committee. This is a serious matter, of course. The Authority is earnestly concerned, and is bending every effort to eliminate odor. No one should be subjected to offensive odor if they could have been avoided or prevented. The testimony of the experts was to the effect that every new sewage treatment plant produces odor during its early stages of operation, due to a number of causes.

The chief difficulty seems to be in the incineration of the sludge. Unless the temperatures in the furnaces are high enough to destroy sludge odor, odorous fumes are sent out through the tall chimney. These fumes are carried by the wind to nearby residential areas.

In every new plant, Messrs. Cobb and Gordon informed the Committee, the brand new equipment does not always work as it should. Operating personnel have to learn from experience how to do their jobs properly and work as a team, etc. The troubles are like those you have with the defective parts of a new car, only the problem is thousandfold that of a car due to the magnitude of the installation. Mr. Gordon admitted that his incinerators were not functioning properly, but assured the Committee that the troubles in Pittsburgh are not unusual. He said that in his 24 years' of experience with furnace installations in 43 cities, sludge odor problems were solved within a reasonable time after the plant was in operation. Steps are being taken to correct the Authority's incinerators and plant procedures, the engineers testified, and it was their opinion that operation free of sludge odor would be achieved soon.

We believe the people would have benefited much more if the engineers had been permitted to spend their full time working on the odor problem instead of requiring them to spend hours and days preparing to defend the Authority against unfounded charges before a Senate Committee.

Conclusion

As minority members of the Senate Committee, we wish to acknowledge publicly that the Allegheny County Sanitary Authority has done a remarkable job in completing a gigantic construction project of which the people should be proud.

The Authority has spent \$100,000,000 of public funds without a breath of scandal. It has operated efficiently, expertly and economically, utilizing the best obtainable engineers, consultants, fiscal advisors, bond counsel, and other experts. We congratulate the Authority's upaid Board members and hard-working staff headed by Mr. La-boon.

Certainly nothing brought out during these

hearings has been adverse to authorities. The Allegheny County Sanitary Authority has built a sewage system to serve 70 municipalities. Such a project could not possibly be accomplished by the municipalities acting by themselves. They had to resort to an authority to perform the over-all job. The use of authorities to build needed public projects that cannot otherwise be financed or accomplished has been vindicated by this Senate investigation.

Respectfully submitted,

/s/ George J. Sarraf, Senator, 38th District

/s/ Joseph D. Ripp, Senator, 44th District

September 30, 1959.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, now that the Senate has passed the General Appropriation Bill, I desire to make a short statement.

Mr. President, Governor Lawrence says that no matter whether the Legislature cuts his budgets for certain departments or not, he is going to go ahead and spend the money anyway, and some of his assistant spenders in the departments have echoed this blatant defiance of the laws under which our Commonwealth operates.

It would be easy to draw the comparison of a spoiled child, denied by his father the money with which to purchase a bicycle which he contends he sorely needs; who cried in a tantrum that he will buy the bike anyway, and his father will have to pay the bill.

However, that would belittle, or understate, the enormity of Governor Lawrence's statement.

This is no childish tantrum. This is a cold, calculated statement. This is a powerful pitch to force more money out of the people of this State than their lawfully elected representatives want to give the Governor. It is an ominous official pronouncement by the Governor of Pennsylvania.

I hope that this is only an idle threat. I hope that Governor Lawrence does not intend to do what he ill-advisedly says.

Mr. President, there is no excuse for such a statement, and certainly not such an action. The reductions which the Appropriations Committee of this Senate has made in the Governor's Budget were made after the most patient and toilsome study. We have interviewed department heads and deputies. We have threaded our way through the tortuous maze of departmental finances. Our conclusions, I believe, are based upon advice and information equally as sound as that of the Governor.

The men who have participated in forming the mature judgment of this committee, in making its reductions in the budget, are men who have had some experience in governmental affairs. They have had appreciable experience and training in business and finance. They are not novices in dealing with the problems of people, for these men are elected in Districts, and they are in frequent and close contact with the people who live there, who use the highways, who need institutional care, who depend upon the public schools and who pay the taxes that make these State services possible.

As one Senator, Mr. President, I can testify that the people of my District are not clamoring to have the State take more of their money in taxes than is ab-

solutely necessary to spend on required services. To put it another way, the people of Lancaster County want us to spend every cent that is prudently necessary for good roads, and schools, and institutions, and services, but not one cent more. And they are not writing or calling me to say, "Take the Governor's word, or the department head's word, for everything—damn the expense—go ahead."

They think, and I think, that we have gone too long on the theory that if the general objective is good, then expense is no proper consideration. It does not take much of a look at our State and National finances to see where that kind of thinking has led us.

Any Governor has the right to back a budget which he believes to be sound.

But, Mr. President, no Governor has the legal or moral right to defy the Legislature, nor to flout its decisions. If Governor Lawrence can spend the people's money when, where and as he pleases, in defiance of the laws passed by this Body, then he can ignore and turn aside from any other law. If he disapproves of a law which protects a citizen from arrest, would he have him arrested anyway? If he disapproves of a law which protects the people from violence and disorder, would he prevent the police from doing their duty?

Our Constitution, Mr. President, calls for a system of checks and balances. Governor Lawrence's behavior in the matter of the Legislature's action on his budget would suggest that he would ignore the Constitutional check which the Legislature properly has upon the Chief Executive.

Governor Lawrence's bad-tempered blast at Legislators is not the sort of thing one expects from the Governor of the Commonwealth of Pennsylvania.

It is not the kind of statement that is worthy of this great Commonwealth.

Let us respect our several offices and duties. Let us promptly discharge with fidelity those obligations and adjourn this Session quickly.

Mr. President, I want to thank you for your patience. I know you have been through a rough day.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am not getting up to defend Governor Lawrence because I think he is very efficient and he will be able to do it himself.

You will notice that I address you as "Mr. President" and not "Mr. Prentis."

I back the Governor up to the nth degree in what he has said, because Senator Kessler and his cohorts on the other side cannot pass bills saying what we will give to the schools, what we will give to public assistance, et cetera, and not provide the money.

There is no question about what the Governor had to say. I will read from an editorial today in the Post-Gazette:

"The Governor has noted that these"—\$58,000,000—"are precisely the areas where the bulk of the deficiencies occurred in the last biennium. Of the \$141 million deficit inherited from the last biennium, \$74 million was caused by deficiencies accruing, in large part, because of under-appropriations in those categories."

"Under the Constitution, the Governor can reduce certain non-mandated appropriations or cut them out altogether. And that is what he proposes to do"—maybe a few of Mr. Kessler's pet schemes—"where appropriations measures exceed a prudent and fair estimate of the revenues we will receive."

But in the areas of mandated payments—for the schools,—these are mandated—"for public assistance and for occupational disease—the Governor has no choice but to see that the money is paid out. Or, as the Governor explains it:

"It would be inaccurate to say that all the recommended reductions would result in deficiencies. If we don't have enough money for the industrial development authority, or for the juvenile delinquency program, or for marketing of agricultural products, we just can't function in these areas as we should. I believe cut-backs in these activities are a mistake . . . But they would result in reductions in services, not in creation of a deficit. The proposed expenditures for public assistance, for public schools and for occupational disease, however, spell out deficit any way you look at it."

The Governor will pay those bills whether you appropriate the money or not, and you will pay it with a deficiency appropriation in 1961.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, apparently Senator Kessler was not listening this morning when I discussed this matter at quite some length. I asked for an answer to it, which he has not given me during today. Perhaps he will answer it at some other time.

The question I put to him earlier today was whether the 1959-1961 budget cuts came out of mandated items and thus created deficiencies of \$26,000,000? These are mandated items which we must pay whether they say they will give the money for them or not. The money must come from somewhere.

I would like to point out one other thing in State financing. I am sure all of you are aware of it, but maybe it has slipped away from us. When a deficiency is created, we do not go out and steal that money, or sneak it away from somebody else. We cannot say to some department, "You have got to give back some of this money," or cause them to lapse it. What we are doing then is that we are causing somebody who is entitled to some of that money, which was provided by the State for them to do a job, to stop doing it so we can take it away and use it somewhere else.

If that is clever financing or if that is good business, I fail to see it. That is the very thing to which I addressed myself this morning to clear up this miasma that we were in discussing financing. It is not that difficult to understand. All you are doing is taking money out of one pocket and putting it into another after you have spent the money out of it. When you are doing that, you are causing some area to lose as a result of it.

Therefore, this money is not something that we steal or something that we borrow, because we are only borrowing it from ourselves.

I think you should discuss with us how you cut these mandated items by \$26,000,000, and where this money is going to come from to do the job.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I would be inclined to make a statement on this subject relating to the fact that it is certainly only a difference of judgment and opinion as to whether or not there is a reduction in the mandated expenditures of the Commonwealth in this budget.

I think it was pointed out that the reduction in the school subsidy payments was made because of the fact that there was a reduction in the number of school units.

However, Mr. President, in the interest of time, since we want to get these bills over to the House. I think we should resume consideration of the appropriation bills.

HOUSE BILL No. 1746 CALLED UP

Mr. BERGER. Mr. President, I now call up, out of order, from page 2 of today's Third Reading Calendar, House Bill No. 1746, Printer's No. 1705.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1746, entitled.

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. McMENAMIN. Mr. President, I would like to offer an amendment to this bill.

The PRESIDENT. The Clerk will read the amendment. The amendment was read by the Clerk as follows:

Amend section 1, page 1, lines 2 and 3 by striking out "EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000)" and inserting: "ten million dollars (\$10,000,000)."

On the question,

Will the Senate agree to the amendments?

Mr. SCOTT. Mr. President, I rise to oppose the amendments, as offered by Senator McMenamin.

Mr. McMENAMIN. Mr. President—

Mr. SCOTT. Mr. President, I believe you offered me the floor when I arose to object to the amendments. I also desire to speak, Mr. President.

The PRESIDENT. Suppose you proceed now, Senator Scott, unless you wish Senator McMenamin to speak first.

Mr. SCOTT. Mr. President, I feel that I can stand here this afternoon and state without any fear of contradiction, whatsoever, that it has been proven in the past that I have given more than lip service and that I have more than a passing interest in the Industrial Development Program of the Commonwealth of Pennsylvania. I am certain that the record will bear that out.

Mr. President, I have more than a passing interest in our Industrial Redevelopment Program because I come from the anthracite coal mining area, where we feel that this program will do a great deal of good. I know that the record will show that long before the legislation was introduced, which set up the present Pennsylvania Industrial Authority, I, as a Member of this Body, along with other Members, in particular, the gentleman from Washington, Senator Lane, gave a great deal of thought to what could be done to stimulate industrial activity in our Commonwealth. The record will show that Senator Lane and I introduced a number of pieces of legislation. Although they may have been crude in nature, they formed the basis for the setting up of our present Pennsylvania Industrial Redevelopment Authority.

After those pieces of legislation had been introduced and had been given a great deal of consideration and a great deal of thought, the then Governor of the Commonwealth of Pennsylvania turned over the job to the Secretary of Commerce to develop a piece of legislation which would be adequate. That piece of legislation was introduced. I am happy to say that I was one of the sponsors of that piece of legislation. It is now the legislation which has put into existence our Pennsylvania Industrial Development Authority.

Mr. President, I want to say that it comes very easy for me to stand here this afternoon and compliment Secretary William Davlin and the members of the Pennsylvania Industrial Development Authority for the very fine job which they have done and are doing towards bringing new industry into our Commonwealth. I want to say that it comes just as easy for me to stand here this afternoon and object to the amendments which were offered by the gentleman from Lackawanna. I am confident in my mind that the eight and one-half million dollars which is appropriated to this Authority, under the present bill which we are considering, will give to that organization sufficient funds with which to operate during the present biennium.

Just what amount of money is necessary to operate this Authority during this present biennium? How much money do they adequately need to do the job? Unfortunately, because of the short existence of the Industrial Development Authority, it is very difficult to project what they might need in the way of expenditures in the future because of their past performance. I am firmly convinced in my mind that about all you can make, in projecting the amount of money which is needed, is an educated guess. You know, we do have certain criteria and certain background experience of the short period of time that this Authority has been in operation. I think, therefore, that we can gain some information from that.

In that connection, Mr. President, and not to slight Senator McMenamin, but because Senator Lane and I have worked so long and hard with this type of a program, I wonder if I might at this time interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. SCOTT. Senator Lane, during the 1955-1957 biennium, which was the biennium in which this Authority was formed, what appropriation was made by the General Assembly to the Authority for the biennium?

Mr. LANE. Frankly, Senator Scott, I forget. I think it was \$5,000,000.

Mr. SCOTT. That is correct. It was \$5,000,000.

Then you are willing to admit that the present appropriation of eight and one-half million dollars, in the bill which we are considering right now, is three and one-half million dollars more than was given during the 1955-1957 biennium.

Mr. LANE. That is correct.

Mr. SCOTT. Senator Lane, during the 1957-1959 biennium, do you recall what appropriation was made by the General Assembly to the Industrial Development Authority?

Mr. LANE. I believe it was \$5,200,000.

Mr. SCOTT. That is correct. It was \$5,200,000.

Of course, following the same line of reasoning, you are willing to admit, I assume, that the appropriation being given by this measure is \$3,300,000 more than was given during the past biennium. Is that correct?

Mr. LANE. Yes, however, may I say further that I believe that \$5,200,000 was not quite sufficient to operate with because there seemed to be an overlapping.

Mr. SCOTT. That is a misstatement, Senator Lane. Actually, what happened was we did not appropriate enough money during the 1957-1959 biennium. We had to appropriate a deficiency appropriation, which made the entire appropriation \$5,200,000. Will you accept that?

Mr. LANE. Yes.

Mr. SCOTT. Senator Lane, are you familiar with the fact that during this present biennium, the Pennsylvania Industrial Development Authority will receive, in the way of interest and in the way of income as repayment on the loans which they have already made, the amount of one and one-half million dollars? If you would take that one and one-half million dollars and add it to the \$8,500,000, which we are appropriating in this bill, you would give the Pennsylvania Industrial Development Authority \$10,000,000 to expend the present biennium. Is that correct?

Mr. LANE. That is correct.

Mr. SCOTT. Thank you very much.

Mr. LANE. May I elaborate though? May I make a statement now?

Mr. SCOTT. I have not concluded my remarks. However, you may make a statement if you so desire, if it is on the things which I questioned you on.

Mr. LANE. My remarks will not be exactly on the questions. I will wait until you finish your remarks.

Mr. SCOTT. Mr. President, I know a great deal of stress is going to be laid on average monthly commitments which have been made by the Pennsylvania Industrial Development Authority since the time when it came into existence. I, too, would like to elaborate on those monthly commitments.

First of all, let me point out that if we take the entire amount of money which will be appropriated by this bill, and add to it the income of one and one-half million dollars which will come into the Authority during this biennium, you will have \$10,000,000. If we were to subtract from that amount of money all of the commitments which have been made by the Authority for industry to come into Pennsylvania and all of the pledges which have been made by the Authority, awaiting the arrival of funds, we would still have left at this time, after we

have cleaned the slate, a fund of \$8,353,000. In other words, we would have that amount of money to take us through the next twenty months, or to the end of this biennium. If you will divide that amount of money by the twenty months, you will discover that you have a figure of \$417,650 a month to spend.

What has been the experience of monthly commitments? Let us take the last month, the period of time from August 21, 1959, until today. In that period of time, there has been one lone commitment made. That commitment was for the amount of \$69,750. During the past month, the average has been \$69,750. I ask you to compare that with the \$417,650, which is provided for in this particular bill as monthly commitments. On monthly commitments, let us take the last two months, the period from July 31, 1959, until today, which is a little more than two months. In that period of time, I discovered that the average commitments made amount to \$236,916. I ask you to compare that with the permitted commitments under the present bill of \$417,650.

At this point, Mr. President, I might inject this situation. There has been a great deal said on the floor of the Senate today and last night about the effect of the steel strike and that we were not appropriating enough money to this particular agency and this particular bureau because of the effect of the steel strike. I do not know the answer, Mr. President, but I am just wondering whether the steel strike, itself, is not having an affect on the industrial development in Pennsylvania today. Perhaps that is the reason why the monthly average for the last two months is such a low figure. The average monthly commitments for the last twelve months is \$389,000. The average commitments since the program got into operation, thirty-nine months ago, is \$332,000.

However, what I am attempting to point out, Mr. President, is simply that the average monthly commitments, which the Pennsylvania Industrial Development Authority can make in the next twenty months, to the end of the biennium, exceed by a great amount the average monthly commitment of the past month. They exceed by a great amount the average monthly commitment of the past two months. They exceed the average monthly commitments of the past twelve months and they exceed the average monthly commitments of the past thirty-nine months, since the program has been in effect.

I am firmly of the opinion, Mr. President, that the \$10,000,000 which the Pennsylvania Industrial Development Authority will have to spend during the next twenty months, to the end of the biennium, most certainly will be adequate.

Mr. President, I now desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. SCOTT. Senator Lane, I presume you know that at the time when the Secretary of Commerce, Mr. Davlin, made his original request to the Governor, he asked for something substantial over the \$10,000,000.

Mr. LANE. That is correct.

Mr. SCOTT. Senator Lane, let us suppose that I am wrong. Let us suppose that we would today adopt the \$10,000,000 and in February of 1961, when this Legislature is back in Session, the Secretary of Commerce would

come to the Legislature and say, "The \$10,000,000 which you appropriated, and which the Governor asked for, is not enough money. I have run out of funds. I have an industry that is willing to come into Pennsylvania. They need the funds within the next month. Will you pass for me a deficiency appropriation sufficient to take care of that?" Would there be any hesitancy on your part, Senator Lane, whatsoever, about passing or voting for such a measure?

Mr. LANE. I would be glad to vote for it. However, what would happen if there would be a large industry come into Pennsylvania and be out of funds and we would not be in Session?

Mr. SCOTT. Are you asking that question in the way of interrogation?

Mr. LANE. I was just answering your question by asking one.

Mr. SCOTT. There would, however, be no hesitancy on your part about voting for a deficiency appropriation. Is that correct? As a matter of fact, you did that this spring when the Industrial Development Authority ran out of funds and a deficiency appropriation was adopted so that an industry might be brought into Pennsylvania.

If we were to adopt today, Senator Lane, the bill in its present form, which calls for eight and one-half million dollars and that amount of money ran out in February of 1961, and the same situation occurred, would there be any objection on your part to voting for a deficiency appropriation?

Mr. LANE. Absolutely not.

Mr. SCOTT. Even though you might be able to stand at the microphone and say, "I told you so," would you still vote for the deficiency appropriation?

Mr. LANE. I certainly would. I also would probably say, "I told you so."

Mr. SCOTT. I doubt very much whether there is a man in this Senate Chamber who would not feel exactly the same as you do, Senator Lane, and most certainly would vote for a deficiency appropriation under those circumstances.

I am confident in my mind, Mr. President, that the \$10,000,000 which the Authority will have to spend during this present biennium most certainly will be sufficient to take it to the end of the biennium. However, if that situation does not occur and if the Authority should run out of funds while the Legislature is in Session, during the early period of 1961, most certainly we can at that time pass a deficiency appropriation.

As a matter of fact, Mr. President, I am going to take a very peculiar approach to this situation. I hope that in 1961 the Secretary of Commerce, Mr. Davlin, will come before this Legislature and say that we do need a deficiency appropriation. I hope he will say that we were wrong in our figure of eight and one-half million dollars and that even the Governor was wrong in his figure of \$10,000,000, and that we have some industry coming in. This would most certainly be concrete proof. It would be proof that we are getting new industry into Pennsylvania. However, Mr. President, this is hope; this is sentiment. When you are appropriating taxpayers' money, you cannot appropriate that money on hope, on wishful thinking or on sentiment. You must appropriate that money on hard, cold facts. I am convinced in my mind that the facts in this case most certainly show that the eight and

one-half million dollars will be sufficient for this appropriation.

Mr. LANE. Mr. President and Members of the Senate, everything Senator Scott has said is correct. I have worked with the gentleman on a number of projects, including Social Security, one of the tough ones, and industrial development. I have a wholesome respect for his ability as a Member of this Senate. However, I believe there are a few things which Senator Scott has forgotten.

Senator Scott talked about voting for a deficiency appropriation at the beginning of the next biennium. I would be glad to vote for a deficiency appropriation. I would be more than happy to. However, suppose we could not find any lapse. Suppose we could not find the money to provide for the deficiency appropriation.

There is another angle which I think we should review. Most of us agree that the revolving fund is a good project. Most of us agree that it has helped business in Pennsylvania. This Industrial Development Program is in its infancy. So far, we have been quite successful. I think we must use cold logic in our approach to appropriations. I say to the gentleman that there would be nothing wrong in increasing this appropriation to the amount requested by the Governor. In doing so, we would not be absolutely sure, but we would be on safer ground so that in the event there is expansion and requests for additional loans in Pennsylvania, we would have the funds to do the job. I believe that is the main thing.

I know that Senator Scott is very sincere in his approach to this problem. I know that he has a concern regarding the coal mining counties, such as I have. We want to make sure that we bring industry into Pennsylvania in order to put our people to work.

Incidentally, Mr. President, the money we put up for this revolving fund is money that we lend. We are not spending the money. We are lending the money to people to go out and build these buildings. In doing so, we receive interest on our investment. We are a lending institution, Mr. President, within the confines of State Government. This money is not going down the drain because we always have security. We know the money is going to be paid back.

Therefore, Mr. President, in view of those circumstances, I feel that we should be as sure as we possibly can that we will have the money to do the job. Suppose some large industry came in here and demanded an appropriation or requested a sum of \$5,000,000 or \$6,000,000, and we were in the position where we did not have the money. I think all of us would be kicking ourselves all over the lot because we had lost a large industrial plant in Pennsylvania, which all of us know is needed.

Mr. McMENAMIN. Mr. President, I can subscribe to everything that Senator Scott has said before me, except to the conclusion that he reached. I am at a loss to understand, having such a thorough command of the facts involved, how he comes to the conclusion that he reached, that eight and one-half million dollars is sufficient for this fund.

I know that he, like Senator Lane and myself, was a sponsor of this original legislation in 1955. I cannot think of anybody who worked harder on it than Senator Scott, as he said, and Senator Lane. I also recall that my good friend and distinguished colleague from Blair County,

Senator Mallery, was very much concerned with this then new idea for Pennsylvania of an Authority being set up to lend money to attract new industries into depressed areas. A good many of us have worked on it, have kept a very attentive eye on it since and have striven constantly to improve its operation.

This being football season, I cannot help but analogize that perhaps Senator Scott reminds me a little bit of a football team that does very well in the middle of the field, but does not get the ball over the goal line. I think we Democrats want to get the ball over the goal line. The goal line in this case is to provide jobs for Pennsylvanians in Pennsylvania. We want to score that touchdown. We do not want our people leaving Pennsylvania for jobs in Delaware, New Jersey, Connecticut and other States.

Just analyzing the conclusion that Senator Scott reached, that eight and one-half million dollars is sufficient money and not the \$10,000,000, as requested by the Governor and Secretary Davlin, it seems to me that he made three points. One of them was that the amount can be reduced to \$8,500,000 because there is \$1,500,000 coming in, or will come in, in the form of interest payments on previous loans. It seems to me that this just penalizes the fund, on this philosophy, for its financial soundness. Those of us who originally sponsored this idea always felt, from the beginning, that this Authority plan was financially sound. The fact that so much money is going to come in in two years, I think proves this point. However, the Republican Party is saying that we will deduct from any future appropriation the amount coming in from loans in the past, in the form of interest. Project that into the future in the next Session, and more money will come in because more money has been loaned and higher interest will be paid and the appropriation will be reduced further. If this type of thinking prevails, you are going to reach the point where the fund will be static and it will have to live solely on its interest payments.

This does not provide for increased expansion. This, it seems to me, is a standstill sort of program.

The second point which he made was that this is a relatively new proposition and no one can project with any degree of accuracy how much money might be needed in the future. With this, we can agree. However, let us again review the figures he gave.

The figures in both of the past bienniums proved to be inadequate. The funds were exhausted before the bienniums ended. I recall the debate on this very matter two years ago and, it seems to me, at that time I got out at midnight. We were then up against a cut from \$5,000,000 down to \$3,500,000 by the Republican Senate Caucus. We eventually did get that fund restored to \$5.2 million before the Session ended. However, the argument given at that time was that three and one-half million dollars was all that had been spent in the biennium before that, the 1955-1957 biennium. We tried to point out then that the reason for that was because that was the Session of seventeen months duration, which so many of us can remember. We pointed out that this program did not become initiated until well after the program got started. To say that only three and one-half million dollars was spent in an entire two years was an inaccurate picture because the figures then showed that, at the rate the Authority was appropriat-

ing money in the closing months of 1957, they would need \$5.2 million for the present biennium. That is the argument we made then. It has been proven that it was accurate because we had to come in and request more money this spring, after the funds were exhausted. We are now saying, again, that for the next biennium, we are going to need \$10,000,000.

After all, who knows? Certainly it is an informed guess, as so much in life is. However, who is better able to say than Secretary Davlin and his associates and aides in the Department of Commerce who have worked with, breathed life into it, and made a great thing of this Industrial Authority idea which is now the envy of every other State, and many of them have copied it.

If you go to a doctor and pay him money for a visit and he gives you pills to take, you might as well take the pills. There is no sense in paying a doctor bill if you do not follow his advice. In this case, the doctor is Secretary Davlin. It is his considered judgement that \$10,000,000 is what is going to be needed. He backs that up with the figures quoted by Senator Scott and you will have to analyze them. They show that in the past nine months of the biennium, we were making commitments for loans greatly in excess of \$417,000 a month, which is all you are going to have with the present appropriation. There is a reason for that again, as there was two years ago; the reason being that the program was late starting in the long Session.

The reason why there is an acceleration in the last nine months of the past biennium is very simple. The year of 1958 was a year of recession, generally, in America and, particularly, in Pennsylvania. Industry was just not committing large sums of money to capital expansion in that year. However, after the recession ended, in the following nine months, the rate of commitment by the department for funds for this purpose was approximately \$475,000 a month, to the point where, before the biennium ended, they had used up all their funds.

As Senator Lane so well put it, Mr. President, certainly we will all vote for a deficiency appropriation in February of 1961. However, suppose Pennsylvania loses a big factory in August of 1960 because we are not in Session.

That gets me to the third point which I think Senator Scott made. He said the way to handle any such problem was to come in with a deficiency appropriation bill. It seems to me that this type of thinking runs counter to the thoughts expressed about an hour ago by the distinguished gentleman from Lancaster, Senator Kessler. He said that a Governor who says he is going to go ahead and spend money that he does not have is a spoiled child.

Certainly, Secretary Davlin had to slow down since the new biennium started in June, because I think he wanted to live within the law. He could not make commitments. Last month, he only committed \$69,000 to a new fund, a promise to some industry that when we get this appropriation bill through the Legislature, we will give it that much money. If people all over America know that Pennsylvania's loan fund is broke, they are not going to be as interested in coming in here. Certainly, Secretary Davlin cannot go out and offer any kind of assurance, if he does not know how much money he is going to have. Therefore, of course, in July and August of this year, the

rate of commitments to make loans slowed down until once the bill gets through the Legislature.

Therefore, Mr. President, there is a reason for these things. Because of the experience we have had, since this is the third biennium that we have had this problem, we are in a better position to judge now how much will be needed than we were two or four years ago. Those who are best qualified to know, the department itself, feels that \$10,000,000 is the minimum necessary amount to carry on this program during the next two years.

Mr. President, I would urge the Members to support this amendment to restore this appropriation to the point that it was when it came over here from the Democratic House. I am sure that the Senators on both sides of the aisle are interested and, particularly, those from the so-called depressed areas, as Senator Scott, Senator Flack and Senator Wagner must be.

I have several telegrams from all kinds of groups, particularly from business groups which are not members of my Party. I will not belabor you with reading them all. However, with the permission of the Chair, I would like to insert them as a part of the record. Two of them were sent by Mr. Roy Stauffer, President of the Lackawanna Industrial Fund Enterprises, and an automobile dealer in Lackawanna and Luzerne Counties. There is another one from William J. Raeder, President of the Scranton-Lackawanna Industrial Building Company.

I think it is safe to say that this Industrial Authority idea came out of the Scranton Story. I do not think anybody has any greater pride of authorship or in belonging to this Pennsylvania Industrial Development Authority than the people of Lackawanna County and the city of Scranton, particularly the Chamber of Commerce and the many civic organizations that did so much to attract new industries into Scranton and who inspired, if you please, this thought of setting up a State-wide Industrial Development Authority to help communities to help themselves.

Our people are not asking for a handout. I have never heard of any loan going bad in this program yet. They are only asking for some help in order to help themselves when a project gets too big for a local community to take on.

In the past few years, all of us have seen in National papers the New York newspapers, the Wall Street Journal, large advertisements inviting industry to come to Pennsylvania and see about the 100 per cent financing plan. They have urged businesses to locate in Pennsylvania. This has done us a great deal of good. However, what are we doing now when they come and find out that we cannot give them 100 per cent financing? In fact, we cannot give them a penny because the money is all gone. The Legislature did not give us enough money. Instead of being the envy of every State, this will give Pennsylvania a black eye. I am not sure but that we might not be guilty of some false advertising in that respect.

I would urge you, as the Democratic Members want you to vote, to vote for a forward, go-ahead program. We are not a standstill Party. We want to go ahead and create jobs for Pennsylvanians in Pennsylvania. We urge, therefore, that you vote for this amendment.

The PRESIDENT. The telegrams, as requested by the gentleman from Lackawanna, Senator McMenamin, will be spread upon the record.

"1959 Sept. 17, P.M. 3:03

"Senator Hugh J. McMenamin.

"Senate Ofc. Bldg., Harrisburg, Penna.

"Information carried in today's Harrisburg Patriot that a Republican Caucus is considering a proposal to cut the Pennsylvania Industrial Development Authority appropriation from ten million to six million dollars during the present biennium is most disturbing to citizens of Lackawanna County who have been combating a serious unemployment problem for more than a decade.

"We know you are fully aware of the tremendous value of PIDA assistance in our own Industrial Development Program, and those of other sections of the Commonwealth. Reduction in PIDA funds at this time would, therefore, come as a great blow to our continued rapid progress. Your aid is urgently requested in calling on your fellow Legislators to join you in a concerted effort to assure PIDA of its full appropriation and thus stand solidly behind the thousands of unemployed who depend upon our joint efforts to provide them with the jobs they need and want.

"Wm. J. Raeder, President, Scranton-Lackawanna Industrial Bldg. Co."

"1959 Sept 17, P.M. 2:06

"Senator Hugh J. McMenamin

"Senate Ofc. Bldg., Harrisburg, Penna.

"Report that today's Harrisburg Patriot is carrying a story that Republican Caucus is considering a proposal to cut Governor Lawrence's request for PIDA funds from ten million to six million dollars during the present biennium is causing grave concern in this area.

"PIDA assistance to community Industrial Development operations is essential to continuance of a program which has already brought thousands of new jobs to Lackawanna County alone. We feel it is imperative that you act at once to call the attention of your fellow Legislators to the serious impact an appropriations cut would have on the process of industrial development in Pennsylvania and urge that they work with you to insure that PIDA will receive its full request.

"Roy Stauffer, President, Lackawanna Industrial Fund Enterprises."

Mr. MALLERY. Mr. President, I appreciate my good friend and colleague, Senator McMenamin, referring to my interest in industrial development. I introduced a bill, before the present law became effective, for the same purpose. I think the present law is an excellent one.

In my Senatorial District of Blair County and Huntingdon County, we are tremendously interested in bringing new industry into our district. The fact is that in Blair County, a campaign to raise \$2,000,000 is underway. A goodly part of that sum has already been raised.

I just want to remind Senator Lane, who, like myself, become forgetful at times, that he introduced two or three bills which I voted for and which, I believe, he believes will aid in this program of obtaining money for bringing industries into the Commonwealth. I believe he is hopeful that these bills will be effective, as I do also. I just wondered whether Senator Lane had forgotten about those two or three bills which he introduced and which we passed.

Mr. MURRAY, Mr. President, I rise as a representative of Luzerne County, which has probably received more State-aid than any other county in Pennsylvania. I plead for the addition of these additional funds for this reason. On Friday of this week, October 2, we are dedicating a new plant in Luzerne County; namely, the

R. C. A. Corporation. The Commonwealth is supplying \$600,000. I believe the requests for loans are getting larger. The local effort is \$2,000,000, which will supply 3,000 jobs in Luzerne County.

Mr. President, I consider this the most important piece of legislation affecting the people of not only Luzerne County, but, in fact, the people of the Commonwealth.

The PIDA is the most important contribution that the Legislature has made to the welfare of the people of Pennsylvania during the past decade. It is, indeed, a monument to this Senate and I would not want to think that this monument to good legislation had feet of clay. This is bread and butter legislation. We have given bread to those who needed it. I will go further by saying that PIDA has been the very life blood of some of our people.

Nearly every plant which has been brought into this Commonwealth during the past few years has been brought here through the effective cooperation of our communities and State Government. The PIDA is the greatest example of cooperation between the individual, the community and State Government. It is so great, in fact, that it has been called the best example of its kind in this Nation.

Are we to cast this recognition aside? Are we to become hypocrites who stand smiling with company officials at the opening of new plants, and have our pictures in the daily press as representatives of this Senate, which helped make those local dreams come true? Then, are we to do a complete turnabout after the publicity has been good for us, and deny our communities employment after we have been elected for our previous efforts? Are we to take back the bread we gave to people who needed it?

I, for one, do not want to go home and tell my people that there was one Member of this Body who did not believe that the great legislation of 1955 was not again great and helpful legislation in 1959.

In Luzerne County, we have truly benefited by PIDA. The largest pencil plant in the world, Eberhard-Faber, is one of the PIDA efforts on behalf of Luzerne County. This Friday, as I said before, ground-breaking for R.C.A.'s new plant will take place, again the result of the efforts of our people, our community and PIDA.

Then, you would say, "Why do you need more if you have been so greatly benefited already?" Why? Because there are 24,000 unemployed in Luzerne County. There are 17,000 on relief. Despite the fact that PIDA has brought inestimable relief to our county, these people are shamed by their lack of employment and by their need for public assistance. It is easy to say, "We have a few plants, so let us be satisfied." However, Mr. President, while there is a single individual who needs and wants work in Luzerne County, I will be for such a measure as the PIDA and the funds it requests.

I do not mind telling you of the greatness of Luzerne County, but I am not a hypocrite who eliminates the shame which we feel by one circumstance of our payroll structure. The largest industry in the county is still coal; the second largest industry is textiles. However, gentlemen, I am not pleased to say that the third largest payroll in Luzerne County is unemployment compensation and public assistance. Provide our people with the plants and the work, and our shame will be lessened as our

people become productive and not in need of such assistance.

Mr. President, because we believe heartily in such self-assistance, and have done so, we feel that we are worthy to ask for needed State-aid and, when humane legislation is passed in Washington, similar Federal-aid.

Mr. President, I ask the Members of the Senate not to destroy what they have so well built and which is a credit to this Legislature, but to continue that work in adding to the funds which PIDA should and must receive for the betterment of all citizens of this Commonwealth.

Mr. President, I ask the Members on both sides of the aisle to support this amendment.

Mr. STEVENSON. Mr. President, I want to point out to the Members of the Senate that Senate Bill No. 1093, which was passed by this Senate on September 10, was sponsored by Senator Lane, Senator Murray, Senator Kalman, Senator Camiel, Senator McMenamin, Senator Scott, Senator Watkins, Senator Pechan and Senator Whalley. This bill provides for the incorporation of Regional Business Development Credit Corporations. I believe it sets up eight distinct regions in which this corporation may operate. It is supplemented by Senate Bill No. 1094, which permits insurance companies to invest in shares of business development credit corporations. It is also supplemented by Senate Bill No. 1095, which permits banks to invest in shares of business development credit corporations. It is also supplemented by Senate Bill No. 1096, which permits building and loan companies to invest in shares of business development credit corporations.

It has not been a week since a delegation came down here from Luzerne County. They asked whether it would not be possible for private initiative in this field. I said, "Gentlemen, we have a bill which has passed the Senate and which will supplement the work of the Industrial Development Fund." This bill is in the Rules Committee of the House. I think it is an excellent companion to the PIDA Fund. We certainly can do something under this bill, during the next few years, which will supplement the work that Secretary Davlin is going.

I simply wanted to call this to the attention of the Senate and I hope, in some way, that the Members on the other side will get the Rules Committee in the House to pass this bill. I think there is real merit in it. I think Senator Lane is the gentleman who started this. I think it should be pushed through to completion.

Mr. LANE. Mr. President, I agree with Senator Stevenson. As a matter of fact, I checked on the bill today in order to see whether we could get it out of the Rules Committee and get it passed.

Mr. President, I have often felt that we, more or less, have had a one-legged approach to industrial development in Pennsylvania. I am a firm believer in the revolving fund and think it is doing a decent job. I hope to enlist the aid of private enterprise in industrial development corporations. Therefore, I am very happy that Senator Stevenson endorses the bill and I hope the House passes it. Nevertheless, I do not believe this legislation can take the place of the revolving fund. In my opinion, Mr. President, the revolving fund should have sufficient funds. If we do have a lapse, it is better to have a lapse in this fund than to have a deficiency and lose some large industry.

Before I sit down, Mr. President, I might say that quite a long time ago, when Senator Scott, Senator McMenamin and I were talking about this legislation, I had written to New Zealand. As a matter of fact, that is where we got the idea. Quite a number of the Members of the Senate, including Senator Kessler, at that time, told us that we were crazy. As a matter of fact, I thought we were too but we were fortunate enough to get the bill passed. Senator Mallery was also one of the co-sponsors of the revolving fund legislation. He got on it too. We are very happy that we have gotten as far as we have and we are happy that it is successful. Let us implement it. Let us give it the money to do the job. We have nothing to lose and everything to gain.

Mr. SEYLER. Mr. President, Senator Scott made the very able and persuasive type of argument that we have come to expect from Senator Scott, no matter what sort of question he discusses. The mere fact that he had a bad case, as a good attorney, did not bother him.

However, Mr. President, I was most interested in the conclusion of his remarks, in which he made what I consider to be a very persuasive plea for deficit financing as the regular fiscal method of the Commonwealth. As I understood him, he said that it does not matter if we underestimate or if we run short because we can always cure it by a deficiency appropriation.

Mr. President, I view this part of Senator Scott's speech with alarm and hope it is not the announced policy of the Republican Party that deficit financing, from now on, shall be the approved fiscal procedure of the Commonwealth.

Mr. SCOTT. Mr. President, in answer to Senator Seyler, may I merely state that there are some people who might say that we need \$10,000,000 for this program for this biennium. There are some who might say that we need \$15,000,000. There are some who might say that we need \$20,000,000, and so on. It is very difficult to determine exactly what is going to be needed.

I say that regardless of how much we appropriate for this program for this biennium, in this particular instance, I hope that we do come in and have to pass a deficiency appropriation because it means progress. In this particular situation, it means progress for Pennsylvania, whether we appropriate \$10,000,000 or \$8,500,000.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. BARR and Mr. HAYS, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarra,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A constitutional majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 1 of today's Calendar, the Conference Committee Report on Senate Bill No. 309, Printer's No. 1496.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 309, entitled:

An Act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employes.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 309.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

NAYS—1

Proper,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 1748 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 3 of today's Third Reading Calendar, House Bill No. 1748, Printer's No. 1706.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, at this time I desire to offer amendments, and move their adoption.

The PRESIDENT. The Clerk will read the amendments.
The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 and 2, by striking out "THREE MILLION DOLLARS (\$3,000,000)" and inserting: "ten million dollars (\$10,000,000)"; Amend Sec. 1, page 2, lines 3 to 6, by striking out "NOT MORE THAN TEN PER CENT" in line 3, all of lines 4 to 6.

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President and Members of the Senate, I am not going to talk too long on urban redevelopment. However, I believe that the Members of the Senate should fully realize just what this means to Pennsylvania and, incidentally, Dauphin County. If my memory serves me correctly, several Sessions ago, legislation was passed—I believe it was House Bill No. 806— which provided that in urban redevelopment, on a per capita basis, the Commonwealth would contribute ten cents per head, in order to implement redevelopment here in Pennsylvania.

As most of you probably know, too, in order to bring about a redevelopment project, first, you must have a Redevelopment Authority. A Redevelopment Authority is set up under the Secretary of the Commonwealth, I believe, with the approval of the Department of Commerce.

This Authority must have permission from the political subdivisions to act on their behalf. Generally speaking, it is county government or a large city. Once it is in power to act, it receives this per capita money in order to implement the operations of redevelopment.

Mr. President, before any funds are spent from the Federal and State appropriations, every political subdivision must file what is called a master plan. A master plan is a plan in which licensed engineers set up a plan showing a certain section of a city or borough that needs demolition and redevelopment, and they go ahead along that line. This master plan must be approved by the Federal Government.

The Commonwealth of Pennsylvania puts up one dollar the political subdivision puts up one dollar and the Federal Government matches that with two dollars. I know, for a fact, that right now we have in Pennsylvania quite a number of master plans, already approved and awaiting funds from the Commonwealth.

As a matter of fact, not long ago, I received a call from the people in the borough of Brownsville. Brownsville is not in my Senatorial District, but, incidentally, is my old home town. They told me they have already set up \$100,000, under urban redevelopment. They have the money to do the job. They are waiting for the Commonwealth to give them the money and, of course, they have a commitment on the Federal money.

The point I want to make is this. If you people persist in cutting this to \$3,000,000 you are going to curtail or postpone urban redevelopment in many political subdivisions in Pennsylvania. This is something which is absolutely essential.

I read in the newspaper not too long ago where, I believe, you have a project here in Dauphin County. I know they have several in Pittsburgh. They have two in Washington County that I know of. They have one in Fayette County, and they probably have many throughout the Commonwealth. This money has come in. You cannot have a master plan for nothing. As a matter of fact, it takes engineers to do the job and, as most of you know, they are professional people. They have a fee and these fees must be paid to take care of this matter. Therefore, it seems to me that we are losing a lot of money by cutting this program and this budget to \$3,000,000. I have requested that it be restored. If the Commonwealth puts up \$10,000,000, the local political subdivisions put up \$10,000,000 and the Federal Government puts up \$20,000,000, we will have \$40,000,000 in redevelopment completed, or started anyway, in Pennsylvania within the next biennium.

That is my argument. I am finished, Mr. President. I now yield to Senator Rooney.

Mr. ROONEY. Mr. President, I have been here for the past nine hours, listening to some very influential Senators speak on the various amendments and the various bills that have confronted us today. I have listened to slashes in every department in the Commonwealth of Pennsylvania. All of these slashes have been done by the GOP, the Party of the "Grand Old Pruners."

They have taken \$58,000,000 from the mouths and lives of every person in every nook and corner of this Commonwealth. However, the urban redevelopment slum clearance bill could not be more important than any bill that we have discussed in the 143rd General Assembly.

Mr. President, the Commonwealth of Pennsylvania

stands to lose, by this bill, \$135,000,000 worth of Federal matching funds. The President pro tempore of this great Senate, in his own District, stands to lose \$400,000 on urban redevelopment. There are several other Republican Senators whose Districts stand to lose over \$5,000,000 on Federal matching funds. Seven million dollars seems like an awful price to pay for \$135,000,000 worth of Federal matching funds.

Right now, Mr. President, there are twenty-two communities in this great Commonwealth which can participate in \$47,000,000, of earmarked Federal funds. These funds can be paid within the next two years. In my own District, the city of Bethlehem stands to lose \$1,000,000. The great city of Philadelphia will lose \$13,500,000 in Federal funds. The city of Pittsburgh, that great industrial city which has done so much during recent years in redevelopment, stands to lose \$6,000,000 in Federal matching funds.

Mr. President, if the Republican Party has given serious consideration to any bill during this Session, I sincerely hope they will reconsider their objection to the urban redevelopment bill.

Mr. President, I urge my fellow Senators, on this side of the aisle, to support this bill. I hope the Senators on the other side of the aisle, whose Districts are subject to almost a \$6,000,000 Federal appropriation, will also reconsider it.

Mr. KESSLER. Mr. President, I believe that Pennsylvania is one of the very, very few States in the United States which is making contributions to communities for suburban or urban renewal. Most of the funds are raised in the local communities. It is very difficult for me, as a representative, which I think we all are, of the citizens of Pennsylvania, to levy a tax on many of the rural people in order to rebuild the cities, when many of the cities can contribute those funds themselves.

Mr. ROONEY. Mr. President, if Senator Kessler considers himself a rural Senator, I would like to tell the rural Senators in this Commonwealth that they stand to receive \$24,000,000 in earmarked funds. The city of Pittsburgh does not receive the dollar-for-dollar matching which the rural communities do in Pennsylvania. Right now, I am talking about the city of Pittsburgh. It only receives sixty-three cents, per dollar on what it puts up. The city of Philadelphia only receives twenty-five cents for every dollar that they put up. However, in Senator Kessler's District, for every dollar that his District puts up, the Federal Government matches it by four dollars and the State Government matches it by one dollar.

If there is a realistic bill, this is it. This is a fine bill. If we can build school systems throughout Pennsylvania and if we can give tax equalization grants to local communities, I cannot see why we cannot, in this day and age, practically rebuild Pennsylvania and rebuild the rural communities just as much as we are going to rebuild the cities.

Mr. KESSLER. Mr. President, just for the record, I have opposed urban renewal in our local community. We are a well-to-do community. There is no reason why we should tax the farmers in Armstrong County, Bradford County or York County for renewal in Lancaster City.

Mr. ROONEY. Mr. President, I remember, not too many days ago, when Senator Kessler stood before that same microphone and talked about tax equalization for school

districts. He recognized what some of the big cities have done for Pennsylvania. He also recognized some of the distraught conditions in the rural communities.

I say the same thing, Mr. President. Just because Senator Kessler has a rich community, I think he has a selfish interest. There are forty-nine other Senators in this Chamber, and I think we should be considered for a greater Pennsylvania and not just one District. I am not only interested in the city of Bethlehem and Northampton County, but I am interested in a greater Pennsylvania.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. LANE and Mr. BARR, and were as follows, viz:

YEAS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I just want to inform the gentleman who has two sides to him, the gentleman from Lancaster, that last week it was very fine that the people in Pittsburgh and Philadelphia paid for educating those in the various counties about which he talked. He prides himself on being such a stand-up Republican and, therefore, I presume that he stands up then for the Republican Governor of New York, who, I understand, is one of their Presidential hopefuls. I also presume that he stands up for the New York Republican House and Senate, which provided \$25,000,000 for this same thing this year.

When the roll is called, we would like to have a slow roll call in order for us to show our protest to this vicious piece of legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—22

Barr,	Lane,	Mullin,	Sarraf,
Camel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,

Donolow,
Hays,
Kalman,

McGinnis,
McMenamin,
Miller,

Rooney,
Ruth,

Stiefel,
Weiner,

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, the Members on this side of the Senate are well aware of the fact that these three appropriation bills will go to a Conference Committee. The reason for our voting "no" on House Bill No. 1748 and voting "aye" on House Bill No. 1746, is that we could not very well vote "no" on House Bill No. 1746 because some of the departments, we felt, were treated in a fair manner and other departments were treated very unfairly. We voted for the general appropriation bill, House Bill No. 2326, in order to pass it.

We felt that House Bill No. 1746, which deals with the Pennsylvania Industrial Development Authority, was of such prominent importance to the Commonwealth, and of such prominent importance to the industries with which we are now negotiating, that in order not to weaken the hand of this Authority and to continue to keep Pennsylvania in a position where it is competitive with other States, as far as industry is concerned, we felt we wanted to vote for that as well, in order to strengthen the hand of these people who are involved in these negotiations.

On House Bill No. 1748, which dealt with housing and redevelopment assistance, we felt that it was bad and poorly handled. In a sense, I do not think the people who live in Pennsylvania and who deal with this problem were even taken into consideration. It seems to me that, again, the large cities are being singled out for discriminatory action. The discrimination went so far that we certainly could not be a party to this.

Realizing full well that this bill will also go to a Conference Committee, I wanted to make the record clear so that our people here will be noted on the record as to why they voted as they did on this measure.

HOUSE BILL No. 1968 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 20 of today's Second Reading Calendar, House Bill No. 1968, Printer's No. 1613.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 2353 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 21 of today's Second Reading Calendar, House Bill No. 2353, Printer's No. 1568.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 835, RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. RIPP. Mr. President, I call from the table Senate Bill No. 835, Printer's No. 1368 which was recalled from the Governor for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 835

Mr. RIPP. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

passed finally on September 9, 1959.

The PRESIDENT. How did the Senator vote?

Mr. RIPP. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. RIPP. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. RIPP. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. RIPP. Mr. President, I ask unanimous consent to

offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 1, line 2 of the title, by striking out "State" and inserting: "Health"; Amend Section 2, page 2, line 9, by striking out "State" and inserting: "Health"; Amend Section 2, page 2, line 16, by striking out "for the use of the Department of State"; Amend Section 3, page 2, line 17, by striking out "State" and inserting: "Health"; Amend Section 3, page 2, line 18, by striking out "State" and inserting: "Health"; Amend Section 4, page 3, line 17, by striking out "State" and inserting: "Health."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. I have been advised by my Administrative Assistant that the radio is advising every person who has to drive to be most careful. Those who do not absolutely have to drive should not drive at all. They are expecting ten inches of rain, with considerable winds. The wind, I understand, has started and the ten inches of rain will be between now and midnight.

Mr. EHRGOOD. Mr. President, the wind started a long time ago. However, I would like to state that we who are interested in highway safety—

The PRESIDENT. I was speaking of the external wind and not the internal wind.

Mr. EHRGOOD. We, who are interested in highway safety, will always drive safely, as you know.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WHALLEY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 117, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of state employes amending revising consolidating and changing the laws relating thereto," defining employes of redevelopment authorities as State employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1380, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color or national origin and prohibiting such discriminatory practices.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, September 30, 1959.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, October 13, 1959, at Two o'clock, P. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, October 13, 1959, at Three-thirty o'clock P. M., E. S. T., unless sooner recalled by the Speaker of the House of Representatives.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 661

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 661, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 662

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company, bank and trust company, or trust company.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1071

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1071, entitled:

An Act amending "An act to consolidate, amend and revise the Penal Laws of the Commonwealth," approved

June 24, 1939 (P. L. 872) regulating the advertisement of merchandise offered for sale by certain businesses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1897

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), further regulating the disbursements of funds by brokers.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 268, entitled:

An Act defining and regulating the conduct and activities of officers and employes of the Commonwealth, members, officers and employes of the General Assembly and first partnerships, Associations and corporations in which such persons are members or stockholders forbidding certain situations which may involve a conflict of interest ***

Which was committed to the Committee on Rules.

House Bill No. 634, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

Which was committed to the Committee on Rules.

House Bill No. 1580, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes; prohibiting such strikes * * *" providing for the selection of the third member of certain panels; providing compensation for such members; and prescribing the rights of employes if the recommendations of the panel are not accepted.

Which was committed to the Committee on Rules.

House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services, and to prepare appropriate legislation in connection therewith; and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 1851, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), changing the provisions relating to the limitations on size of certain vehicles.

Which was committed to the Committee on Rules.

House Bill No. 1852, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment, and fixing fees for such permits.

Which was committed to the Committee on Rules.

House Bill No. 1898, entitled:

An Act authorizing the Department of Property and

Supplies, with the approval of the Governor, to sell and convey 623 acres more or less of land situate in the city of Erie, County of Erie.

Which was committed to the Committee on Rules.

House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), defining the word "taxes" to include penalties and interest.

Which was committed to the Committee on Rules.

House Bill No. 2348, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the placing of blood type on operator's license card.

Which was committed to the Committee on Rules.

House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An Act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

Which was committed to the Committee on Rules.

HOUSE CONCURS IN SENATE BILL No. 390

He also returned to the Senate, Senate Bill No. 390, entitled:

An Act amending the act of April 29, 1959 (Act No. 82) entitled "The Vehicle Code," permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and sign.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1131

He also returned to the Senate, Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employes.

with the information that the House has passed the same without amendments.

SENATE BILL No. 915 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows, infant children or dependents.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 274

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 274, entitled:

An Act providing leaves of Absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto, and making an appropriation.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2237

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 309

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 309, entitled:

An Act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 309, Printer's No. 991;
Senate Bill No. 1002, Printer's No. 1191; and
Senate Bill No. 1065, Printer's No. 1263.

RECESS

Mr. BERGER. Mr. President, I suggest that we take a ten minute recess, awaiting communications from the House of Representatives.

The PRESIDENT. Is there objection? The Chair hears none and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE NON-CONCURS ON SENATE AMENDMENTS TO HOUSE BILL No. 1746

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1746

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1746, and that a Committee of Conference on the part of the Senate be appointed.

Mr. MAHADY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1748

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

SENATE INSISTS UPON ITS AMENDMENTS NON CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1748

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1748, and that a Committee of Conference on the part of the Senate be appointed.

Mr. MAHADY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 2326

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2326

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2326, and that a Committee of Conference on the part of the Senate be appointed.

Mr. MAHADY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1746

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KESSLER, FLEMING and LANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1746.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1748

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KESSLER, FLEMING and WEINER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 1748.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 2326

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KESSLER, FLEMING and WEINER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 2326.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Thursday, October 1, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. MAHADY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:17 o'clock, p. m., Eastern Standard Time, until Thursday, October 1, 1959, at 9:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, September 30, 1959

The House met at 9:00 a. m., E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father, Thou who hast been our Guardian and Guide, and didst send into the world Thine Only Begotten Son who hast won for every believing soul the salvation for life; we thank Thee that Thou dost raise up men and women to meet the needs of our time; we pray that Thou wilt grant to these Thy stewards the ability to sense the work which needs to be done; and we beseech Thee to bestow upon them the stamina to work earnestly for that which they know and believe to be right; so that at the end of this life we may hear that welcome summons, "Well done, thou good and faithful servant, enter thou into the joy of Thy Lord." Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 29, 1959 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. KORNICK, WHEELER, SNIDER
and TRUSIO. HOUSE BILL No. 2409.

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township, Fayette County, to the government of the United States for use as a National Park, and with certain reservations, ceding jurisdiction over such lands.

Referred to the Committee on Rules.

By Messrs. J. J. MURRAY, GIBB, AGNEW,
PRICE and JENKINS. HOUSE BILL No. 2410.

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, * * * non-tidal waters of any river within the Commonwealth; * * *," providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. T. H. W. JONES. RESOLUTION No. 118.

In the House of Representatives, September 29, 1959.

New and revolutionary discoveries in the field of medicine have provided a great variety of effective drugs for the prevention and treatment of disease. It is imperative that these new drugs be available to the greatest number of persons needing them at the lowest possible price. No secret is made of the fact that in many cases consumers must buy drugs from a pharmacist at a cost of almost twice the price charged other persons such as physicians. This lower price to physicians may have some basis in fact but the discrepancy in the prices charged different persons for the same drug is an indication that the consumer is not receiving the drugs he needs at the lowest possible price; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate the price of drugs charged by the drug companies and the price charged by pharmacists to determine whether or not the consumer is paying the lowest possible price for necessary drugs; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

Referred to the Committee on Rules.

By Messrs. SHERMAN, STONE, AUKER and FINEMAN.
RESOLUTION No. 119.

In the House of Representatives, September 29, 1959.

Whereas, There are many laws on the books of the Commonwealth relating to escheat, and

Whereas, Many of these laws overlap and conflict in their application, and

Whereas, House Bill 1417 was introduced to consolidate, amend and revise the escheat laws of the Commonwealth, and

Whereas, The sub-committee which was appointed by the Committee on Judiciary spent long hours trying to work out a workable escheat law, and

Whereas, Public hearings were held and briefs filed on the problem, yet because of the complexity of the situation and the lack of time, the sub-committee was unable to solve the problems; therefore be it

Resolved, That the Joint State Government Commission be directed to make a study of the laws relating to escheat; and be it further

Resolved, That the Joint State Government Commission avail themselves of the notes of the hearings which were held as well as the briefs which were filed; and be it further

Resolved, That if they so desire they may request information from any of the members of the sub-committee, and be it further

Resolved, That the Joint State Government Commission make a report of its findings to the General Assembly as soon as possible, but no later than the next session, together with appropriate legislation to carry its findings into effect.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval of House Bills No. 632, 958, 1797, and 2094.

Governor's Office, Harrisburg, September 29, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 632, Printer's No. 1574, entitled "An Act amending the act of May 11, 1949 (P. L. 1116) entitled 'An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties' requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed DELIVERY TICKETS and requiring that such DELIVERY TICKETS be furnished to consumers."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 958, Printer's No. 1406, entitled "An Act amending the act of March 10,

1949 (P. L. 30) entitled 'Public School Code of 1949' including costs of grading SEWAGE TREATMENT PLANTS and interests thereon in computing reimbursable rentals."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1797, Printer's No. 801, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' extending the time within which school taxes shall be levied and assessed by the board of school directors in school districts of the second, third and fourth class and validating certain taxes."

DAVID L. LAWRENCE.

September 29, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2094, Printer's No. 1291, entitled "An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for Vocational Education."

DAVID L. LAWRENCE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act amending the act of July 25, 1913 (P. L. 1024) entitled "Women's Labor Law" prohibiting the working of women for more than six consecutive days without at least one day of rest.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" further regulating school bus lighting equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto" providing for the payment of salaries of professional and temporary professional employes in cases of sickness, accidental injury or death.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1703, entitled:

An Act relating to and defining food in the interest of and providing for the protection of the public health, the prevention of fraud and deception by prohibiting the manufacture offering for sale, exposing for sale, or having in possession with intent to sell adulterated, misbranded or deleterious foods conferring powers and imposing duties upon State and county officials and providing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 298, entitled:

An Act to select and adopt the Beagle as the State dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act selecting designating and adopted the Great Dane as the official dog of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 905, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1310, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) providing that the court shall be open for certain hours.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Counties—First Class.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1342, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) excepting certain clubs from the quota limitations.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) changing provisions relating to benefits payable to certain alien non-residents.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1799, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2177, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2299, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating restrictions as to speed.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2372, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2380, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRETH offered the following amendments:

Amend Sec. 1 (Sec. 731), page 2, line 17, by inserting after "time": "for the first offense."

Amend Sec. 1 (Sec. 731), page 2, line 19, by inserting after "years": "and for the second and each subsequent offense, two hundred dollars, and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of three years."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. BRETH offered the following amendment:

Amend Title, page 1, third line of Title, by inserting after "thereto": "changing certain penalties relating to deer, and"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) further defining the word "document."

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" providing for the appointment of special investigators.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 22, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments to joint school boards and joint school committees by the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 53, entitled:

An Act amending the act of April 29 1959 (Act No. 32) entitled "The Vehicle Code" requiring an annual physical examination of school bus drivers and providing for filing a certificate of such examination with the Department of Public Instruction and the local school district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of July 7 1947 (P. L. 1368) entitled "Real Estate Tax Sale Law" further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 25 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" further regulating taxes on the transfer of real property and imposing penalties for the recording of taxed documents without the proper stamps affixed thereto.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to be defendant in any such suit.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

On Act amending the act of May 9 1949 (P. L. 919)

entitled "An Act designating certain clerks of courts agent of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth * * *" changing the day for rendering certain returns to the Department of Revenue.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 259, entitled:

An Act amending the act of April 18 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to settlement of small estates on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution of small estates and liabilities of guardians appointed by court.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act amending the act of July 28 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

And said bill have been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 319, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 382, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the assessing and levying of taxes by all school board members when union districts are first created.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 399, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to State Teachers' Colleges; authorizing contracts to lease and leases by Department of Public Instruction from the Authority of any additions or improvements to State Teachers' Colleges and the furnishing and equipment thereof when used or occupied authorizing subleases of such projects and increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor and allocating the proceeds of the increased borrowing.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 456, entitled:

An Act repealing the act of March 12, 1873 (P. L. 271) entitled "An act to prohibit the keeping of billiard rooms bowling saloons and ten-pin alleys within two miles of the State Norcal School at Mansfield in the county of Tioga."

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721), entitled as amended "An act providing for the service of process in civil suits on nonresident operators or non-resident owners of motor vehicles operated within the Commonwealth of Pennsylvania . . ." providing for service of process on nonresidents or residents who sub-

sequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 510, entitled:

An Act amending the act of June 7, 1901 (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" permitting the use of rigid polyvinyl chloride pipe and providing for the joining of pipes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 661, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" authorizing the relocation of businesses and families and limiting powers of eminent domain.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 662, entitled:

An Act amending the act of May 24, 1945 (P. L. 982) entitled as amended "Redevelopment Cooperation Law" re-defining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 839, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" further regulating the use of blue warning lights by volunteer firemen and members of hose companies.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties * * *" further regulating the powers of the department of city planning over plats or subdivisions of land.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, I would like to request a period of recess.

I would request the Democratic Members of the House to bring their House calendars with them, and that we go to the new House caucus room immediately for a Democratic caucus to mark the third reading and final passage calendars as well as concurrence, nonconcurrence and conference committee reports.

I ask that following the caucus there be a half-hour period for luncheon. It is now 11:00 o'clock and we estimate that we can be back here on the dot at 1:00 o'clock and move with third reading.

Mr. TOMPKINS. Mr. Speaker, we will also have a Republican caucus immediately upon calling of the recess and ask that the members bring their calendars with them.

REPORTS FROM COMMITTEE

Mr. REIDENBACH from the Committee on Appropriations, reported as amended House Bill No. 2386, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade school and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, House Bill No. 261, entitled:

An Act relating to the practice of massotherapy providing for the examination licensing registration and regulation of practitioners of massotherapy; creating the State Board of Massotherapy Examiners; defining its powers and duties; conferring powers and imposing duties upon the Department of Public Instruction and fixing penalties for violations.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, House Bill No. 626, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), including certain diseases of fire-fighters within the meaning of the term occupational disease.

RECESS

The SPEAKER. If there is no further business to bring before the House at this time, the Chair declares a recess of two hours, and the Chair understands the respective parties immediately repair to their caucus rooms for caucus.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILL INTRODUCED AND REFERRED

By Mr. DOUGHERTY HOUSE BILL No. 2411.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued, and exempting concert music halls maintained by public or private charities from taxation.

Referred to the Committee on Rules.

Mr. HELM IN THE CHAIR.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

Mr. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 29, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, October 13, 1959, at two o'clock p.m., E.S.T., unless sooner recalled by the President pro Tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, October 13, 1959, at three-thirty o'clock p.m., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 28, 1959.

Resolved (if the Senate concur) that House Bill No. 1572, Printer's No. 1299, entitled "An act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' further regulating reinstatement and requirements for credit for previous service and the retirement allowances of certain reemployed persons," be recalled from the Governor for the purpose of amendment.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1851, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) changing the provisions relating to the limitations on size of certain vehicles.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Jefferson, Mr. Dennison, regarding House Bill 1851, Printer's No. 1751?

The SPEAKER pro tempore. Will the gentleman from Jefferson, Mr. Dennison, permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Jefferson, Mr. Dennison, inform the House if the amendments inserted in House Bills 1851 and—if we may have the permission, Mr. Speaker,—1852 comply with the Federal law dealing with regulations of states so that the Commonwealth of Pennsylvania would not be in jeopardy of losing any Federal money now authorized to this Commonwealth for highway projects and construction?

Mr. DENNISON. These amendments do bring the bill

in line with the Federal Act; in fact, that was the purpose of the amendments inserted yesterday.

Mr. McCANN. Mr. Speaker, will the gentleman inform the House also, then, that the two bills do not in any way violate the 1947 Federal Act as amended, so that the width of vehicles and equipment in any way would jeopardize the agreement dealing with Federal funds. Is that correct?

Mr. DENNISON. On the advice of the Attorney General's Department, the amendments prepared yesterday and inserted yesterday did comply with it, and in no way jeopardize the contribution of Federal aid to public roads.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

With that assurance that House Bills 1851 and 1852, on page 13, now meet the requirements of the Federal regulations, the Bureau of Public Roads, I ask that the Members do support these two bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Ashton,	Galley,	McKeever,	Rovansek,
Balthaser,	Gallagher,	McLaughlin,	Royer,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Magee,	Schaaf,
Blair,	George,	Mahan,	Schuster,
Boies,	Gibb,	Markley,	Schwartz,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stoner,
Cioffi,	Irviss,	Murphy, A. J., Jr.	Sullivan,
Clarke,	Isaacs,	Murphy, P. J.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Keiser,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Weidner,
Dougherty,	Kessler,	Odorisio,	Wescott,
Down,	Knecht,	Oglvie,	Wheeler,
Edwards,	Kooker,	O'Neil,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Parlante,	Williams, E. S.,
Eshback,	Korns,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Perry, P. E.,	Wilt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wood,
Fetterolf,	Lee, K. B.,	Polaski,	Worley,
Filo,	Leonard,	Polen,	Wynd,
Fineman,	Limper,	Prendergast,	Yatron,
Floyd,	Lippincott,	Price,	Yetter,
Flynn,	Lopresti,	Pursley,	Zimmerman,
Foerster,	Luigard,	Reibman,	Andrews,
Fox,	Lutty,	Reidenbach,	Speaker
Frank,	McCandless,		

NAYS—0

Goldstein

NOT VOTING—26

Agnew,	Heffner,	Moran,	Stone,
Auker,	Johnson, A. W.,	Rigby,	Strausser,
Brown,	Kovolenko,	Rudisill,	Stroup,
Buchanan,	Light,	Scarcelli,	Thompson,
Capitolo,	McCormack,	Seltzer,	Welsh,
Cooper,	McInroy,	Stevens,	Whittaker,
Guthrie,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1852, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment and fixing fees for such permits.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Anderson,	Frascella,	McCandless,	Renwick,
Arlene,	Fulmer,	McCann,	Riley,
Ashton,	Galley,	McDonald,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Royer,
Barton,	Garlock,	McLaughlin,	Sakulsky,
Bell,	Gelfand,	Machmer,	Schaaf,
Blair,	George,	Magee,	Schuster,
Boies,	Gibb,	Mahan,	Schwartz,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Hamilton,	Merry,	Snare,
Branca,	Heavey,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Mills,	Steckel,
Burns,	Hocker,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irviss,	Murphy, A. J., Jr.	Taylor,
Comer,	Isaacs,	Murphy, P. J.,	Tompkins,
Crossin,	Jenkins,	Murray, H. P.,	Trusio,
Curwood,	Jim,	Murray, J. J.,	Ujobai,
Davis,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varner,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Jump,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Keiser,	O'Donnell, J. A.,	Weidner,
Dougherty,	Kernaghan,	O'Donnell, J. P.	Wescott,
Down,	Kessler,	Odorisio,	Wheeler,
Edwards,	Knecht,	Oglvie,	Williams, A. D., Jr.,
Ellberg,	Kooker,	O'Neil,	Williams, E. S.,
Eshback,	Kornick,	Parlante,	Willard,
Eshleman,	Korns,	Pashley,	Willaredt,
Ewing,	Kubitsky,	Perry, H. H.,	Wilt,
Farabaugh,	Lamb,	Perry, P. E.,	Wood,
Fetterolf,	Lee, A. M.,	Petrosky,	Worley,
Filo,	Lee, K. B.,	Polaski,	Wynd,
Fineman,	Leonard,	Polen,	Yatron,
Floyd,	Limper,	Prendergast,	Yetter,
Flynn,	Lippincott,	Price,	Zimmerman,
Foerster,	Lopresti,	Pursley,	Andrews,
Fox,	Luigard,	Reibman,	Speaker
Frank,	Lutty,	Reidenbach,	

NAYS—0

NOT VOTING—26

Agnew,	Heffner,	Moran,	Stone,
Auker,	Johnson, A. W.,	Rigby,	Strausser,
Brown,	Kovolenko,	Rudisill,	Stroup,
Buchanan,	Light,	Scarcelli,	Thompson,
Capitolo,	McCormack,	Seltzer,	Welsh,
Cooper,	McInroy,	Stevens,	Whittaker,
Guthrie,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) defining the word "taxes" to include penalties and interest.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Anderson,	Frascella,	McCandless,	Renwick,
Arlene,	Fulmer,	McCann,	Riley,
Ashton,	Galley,	McDonald,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Royer,
Barton,	Garlock,	McLaughlin,	Sakulsky,
Bell,	Gelfand,	Machmer,	Schaaf,
Blair,	George,	Magee,	Schuster,
Boles,	Gibb,	Mahan,	Schwartz,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Hamilton,	Merry,	Snare,
Branca,	Heavey,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Mills,	Steckel,
Burns,	Hocker,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irvls,	Murphy, A. J., Jr.	Taylor,
Comer,	Isaacs,	Murphy, P. J.,	Tompkins,
Crossin,	Jenkins,	Murray, H. P.,	Trusio,
Curwood,	Jim,	Murray, J. J.,	Ujobal,
Davis,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varnier,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Jump,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Kelser,	O'Donnell, J. A.,	Weidner,
Dougherty,	Kernaghan,	O'Donnell, J. P.,	Wescott,
Down,	Kessler,	Odorisio,	Wheeler,
Edwards,	Knecht,	Ogilvie,	Williams, A. D., Jr.,
Eilberg,	Kooker,	O'Neill,	Williams, E. S.,
Eshback,	Kornick,	Parlante,	Willard,
Eshleman,	Korns,	Pashley,	Willaredt,
Ewing,	Kubitsky,	Perry, H. H.,	Wood,
Farabaugh,	Lamb,	Perry, P. E.,	Worley,
Fetterolf,	Lee, A. M.,	Petrosky,	Wynd,
Filo,	Lee, K. B.,	Polaski,	Yatron,
Fineman,	Leonard,	Polen,	Yetter,
Floyd,	Limper,	Prendergast,	Zimmerman,
Flynn,	Lippincott,	Price,	Andrews,
Foerster,	Loprestl,	Pursley,	Speaker
Fox,	Luigard,	Reibman,	
Frank,	Lutty,	Reidenbach,	

NAYS—0

NOT VOTING—26

Agnew,	Heffner,	Moran,	Stone,
Auker,	Johnson, A. W.,	Rigby,	Strausser,
Brown,	Kovolenko,	Rudisill,	Stroup,
Buchanan,	Light,	Scarcelli,	Thompson,
Capitolo,	McCormack,	Seltzer,	Welsh,
Cooper,	McInroy,	Stevens,	Whittaker,
Guthrie,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, entitled:

An Act defining and regulating the conduct and activities of officers and employees of the Commonwealth and first partnerships Associations and corporations in which such persons are members or stockholders forbidding certain situations which may involve a conflict of interest***.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Anderson,	Frank,	McLaughlin,	Renwick,
Arlene,	Frascella,	Machmer,	Riley,
Balthaser,	Fulmer,	Magee,	Rovansek,
Barton,	Galley,	Mahan,	Royer,
Bell,	Gallagher,	Maxwell,	Sakulsky,
Blair,	Garlock,	Meholchick,	Schaaf,
Boles,	Gelfand,	Merry,	Schuster,
Bonner,	George,	Miller, B. Z.,	Schwartz,
Boris,	Goldstein,	Mills,	Sherman,
Bower,	Hamilton,	Monroe,	Shupnik,
Branca,	Heavey,	Muldowney,	Silverman,
Brenninger,	Henzel,	Mullen,	Snare,
Breth,	Holliday,	Munley,	Snider,
Burns,	Holt,	Murphy, A. J., Jr.,	Stank,
Capano,	Irvls,	Murphy, P. J.,	Stewart,
Cianfrani,	Jenkins,	Murray, H. P.,	Sullivan,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, R.,	Musto,	Tompkins,
Comer,	Jones, F. R.,	Naugle,	Trusio,
Crossin,	Kamyk,	Needham,	Ujobal,
Curwood,	Kee,	Nelson,	Varallo,
Davis,	Kernaghan,	O'Dell,	Verona,
Dengler,	Kessler,	O'Donnell, J. A.,	Wall,
Dennis,	Knecht,	O'Donnell, J. P.,	Wargo,
Dennison,	Kooker,	Odorisio,	Wescott,
Devlin,	Kornick,	O'Neill,	Wheeler,
Dougherty,	Lamb,	Parlante,	Williams, A. D., Jr.,
Down,	Lee, A. M.,	Pashley,	Williams, E. S.,
Eilberg,	Lee, K. B.,	Perry, H. H.,	Willard,
Eshback,	Leonard,	Perry, P. E.,	Willaredt,
Eshleman,	Limper,	Petrosky,	Wood,
Ewing,	Loprestl,	Polaski,	Worley,
Farabaugh,	Luigard,	Polen,	Wynd,
Filo,	Lutty,	Prendergast,	Yatron,
Fineman,	McCandless,	Price,	Yetter,
Floyd,	McCann,	Pursley,	Zimmerman,
Flynn,	McDonald,	Reibman,	Andrews,
Foerster,	McKeever,	Reidenbach,	Speaker
Fox,			

NAYS—30

Ashton,	Gramlich,	Korns,	Steckel,
Bowman,	Helm,	Kubitsky,	Stimmel,
Donahue,	Hocker,	Lippincott,	Stoner,
Donaldson,	Horst,	Markley,	Varnier,
Edwards,	Isaacs,	Miller, H. G.,	Walsh,
Fetterolf,	Jones, T. H. W.,	Murray, P. G.,	Weidner,
Gibb,	Jump,	Ogilvie,	Wilt,
Goodrich,	Kelser,		

NOT VOTING—26

Agnew,	Heffner,	Moran,	Stone,
Auker,	Johnson, A. W.,	Rigby,	Strausser,
Brown,	Kovolenko,	Rudisill,	Stroup,
Buchanan,	Light,	Scarcelli,	Thompson,
Capitolo,	McCormack,	Seltzer,	Welsh,
Cooper,	McInroy,	Stevens,	Whittaker,
Guthrie,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 355, Printer's No. 1710, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 634, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Galley,	McKeever,	Rovansek,
Arlene,	Gallagher,	McLaughlin,	Royer,
Ashton,	Garlock,	Machmer,	Sakulsky,
Balthaser,	Gelfand,	Magee,	Schaaf,
Bell,	George,	Mahan,	Schuster,
Blair,	Gibb,	Markley,	Schwartz,
Boies,	Goldstein,	Maxwell,	Sherman,
Bonner,	Gramlich,	Meholchick,	Shupnik,
Boris,	Hamilton,	Miller, B. Z.,	Silverman,
Bower,	Heavey,	Miller, H. G.,	Snare,
Branca,	Helm,	Mills,	Snider,
Brenninger,	Henzel,	Monroe,	Stank,
Breth,	Hocker,	Muldowney,	Steckel,
Burns,	Holliday,	Mullen,	Stewart,
Capano,	Holt,	Munley,	Stimmel,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stone,
Cioffi,	Irvls,	Murray, H. P.,	Stoner,
Clarke,	Jenkins,	Murray, J. J.,	Sullivan,
Comer,	Jim,	Murray, P. G.,	Taylor,
Crossin,	Johnson, R.,	Musto,	Tompkins,
Curwood,	Jones, F. R.,	Naugle,	Trusio,
Dengler,	Jump,	Needham,	Ujobai,
Dennis,	Kamyk,	Nelson,	Varallo,
Dennison,	Kee,	O'Dell,	Varner,
Devlin,	Keiser,	O'Donnell, J. A.,	Verona,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wall,
Donaldson,	Kessler,	Odorisio,	Walsh,
Dougherty,	Knecht,	Ogilvie,	Wargo,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, E. S.,
Ewing,	Lamb,	Perry, P. E.,	Willard,
Farabaugh,	Lee, A. M.,	Petrosky,	Willaredt,
Filo,	Lee, K. B.,	Polaski,	Wilt,
Fineman,	Leonard,	Polen,	Worley,
Floyd,	Limper,	Prendergast,	Wynd,
Flynn,	Lopresti,	Price,	Yatron,
Foerster,	Luigard,	Pursley,	Yetter,
Fox,	Lutty,	Reibman,	Zimmerman,
Frank,	McCandless,	Reidenbach,	Andrews,
Frascella,	McCann,	Renwick,	
Fulmer,	McDonald,	Riley,	Speaker

NAYS—13

Barton,	Fetterolf,	Jones, T. H. W.,	Murphy, P. J.,
Bowman,	Goodrich,	Lippincott,	Weidner,
Davis,	Isaacs,	Merry,	Wood,
Eshleman,			

NOT VOTING—25

Agnew,	Heffner,	Mihm,	Stevens,
Auker,	Johnson, A. W.,	Moran,	Strausser,
Brown,	Kovolenko,	Rigby,	Stroup,
Buchanan,	Light,	Ruddill,	Thompson,
Capitolo,	McCormack,	Scarcelli,	Welsh,
Cooper,	McInroy,	Seitzer,	Whittaker,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 1152, Printer's No. 1584 and

House Bill No. 1161, Printer's No. 1375,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes * * *" providing for the selection of the third member of certain panels and providing compensation for such members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Anderson,	Gallagher,	Machmer,	Rovansek,
Arlene,	Garlock,	Maxwell,	Royer,
Balthaser,	Gelfand,	Meholchick,	Sakulsky,
Bell,	Gramlich,	Miller, H. G.,	Schaaf,
Blair,	Hamilton,	Mills,	Schuster,
Boies,	Heavey,	Monroe,	Schwartz,
Bonner,	Hocker,	Muldowney,	Sherman,
Boris,	Holliday,	Mullen,	Shupnik,
Bower,	Holt,	Munley,	Silverman,
Bowman,	Irvls,	Murphy, A. J., Jr.,	Snider,
Branca,	Isaacs,	Murphy, P. J.,	Stank,
Breth,	Jenkins,	Murray, H. P.,	Stewart,
Burns,	Jim,	Murray, J. J.,	Stone,
Capano,	Jones, F. R.,	Musto,	Sullivan,
Cianfrani,	Jones, T. H. W.,	Naugle,	Taylor,
Cioffi,	Jump,	Needham,	Trusio,
Clarke,	Kamyk,	Nelson,	Ujobai,
Comer,	Kee,	O'Donnell, J. A.,	Varallo,
Crossin,	Keiser,	O'Donnell, J. P.,	Varner,
Curwood,	Kernaghan,	Odorisio,	Verona,
Dengler,	Kessler,	O'Neil,	Walsh,
Dennis,	Knecht,	Parlante,	Wargo,
Devlin,	Kornick,	Pashley,	Wescott,
Dougherty,	Kubitsky,	Perry, H. H.,	Wheeler,
Ellberg,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Lee, K. B.,	Petrosky,	Williams, E. S.,
Farabaugh,	Leonard,	Polaski,	Willard,
Filo,	Limper,	Polen,	Worley,
Fineman,	Lopresti,	Prendergast,	Wynd,
Floyd,	Luigard,	Price,	Yatron,
Flynn,	Lutty,	Pursley,	Yetter,
Foerster,	McCann,	Reibman,	Zimmerman,
Frank,	McCormack,	Reidenbach,	Andrews,
Frascella,	McDonald,	Renwick,	
Fulmer,	McKeever,	Riley,	Speaker
Galley,	McLaughlin,		

NAYS—43

Ashton,
Barton,
Brenninger,
Davis,
Dennison,
Donahue,
Donaldson,
Down,
Edwards,
Eshleman,
Ewing,

Fetterolf,
Fox,
George,
Gibb,
Goldstein,
Goodrich,
Helm,
Henzel,
Horst,
Johnson, R.,
Kooker,

Korns,
Lee, A. M.,
Lippincott,
McCandless,
Magee,
Mahan,
Markley,
Merry,
Miller, B. Z.,
Murray, P. G.,
O'Dell,

Oglvie,
Steckel,
Stimmel,
Stoner,
Tompkins,
Wall,
Weldner,
Willaredt,
Wilt,
Wood,

Eshback,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,

Limper,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McDonald,
McKeever,

Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Reibman,
Reidenbach,
Renwick,
Riley,

Williams, E. S.,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NOT VOTING—24

Agnew,
Auker,
Brown,
Buchanan,
Capitolo,
Cooper,

Guthrie,
Heffner,
Johnson, A. W.,
Kovolenko,
Light,
McInroy,

Mihm,
Moran,
Rigby,
Rudisill,
Scarcelll,
Seltzer,

Stevens,
Strausser,
Stroup,
Thompson,
Welsh,
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DEVLIN asked and obtained permission for the Committee on Cities—Counties, Second Class and Second Class A to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Anderson,
Arlene,
Balthaser,
Bell,
Blair,
Boles,
Bonner,
Boris,
Bower,
Branca,
Breth,
Burns,
Capano,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Dengler,
Dennis,
Dennison,
Devlin,
Donahue,
Dougherty,
Edwards,
Ellberg,

Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
Gibb,
Goldstein,
Goodrich,
Hamilton,
Heavey,
Helm,
Henzel,
Holt,
Irvis,
Jenkins,
Jim,
Jones, F. R.,
Jump,
Kamyk,
Kernaghan,
Knecht,
Kornick,
Kubitsky,
Lamb,
Lee, K. B.,
Leonard,

McLaughlin,
Machmer,
Mahan,
Markley,
Maxwell,
Meholchick,
Mills,
Monroe,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,

Rovansek,
Royer,
Sakulsky,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Steckel,
Stimmel,
Stone,
Sullivan,
Taylor,
Trusio,
Ujobal,
Varallo,
Varner,
Verona,
Walsh,
Wargo,
Wescott,
Wheeler,
Williams, A.D., Jr.,

NAYS—43

Ashton,
Barton,
Bowman,
Brenninger,
Davis,
Donaldson,
Down,
Eshleman,
Ewing,
Fetterolf,
George,

Gramlich,
Hocker,
Holliday,
Horst,
Isaacs,
Johnson, R.,
Jones, T. H. W.,
Kee,
Kelser,
Kessler,
Kooker,

Korns,
Lee, A. M.,
Lippincott,
Magee,
Merry,
Miller, B. Z.,
Miller, H. G.,
Odoriso,
Oglvie,
Price,
Pursley,

Snare,
Stewart,
Stoner,
Tompkins,
Wall,
Weldner,
Willard,
Willaredt,
Wilt,
Wood,

NOT VOTING—24

Agnew,
Auker,
Brown,
Buchanan,
Capitolo,
Cooper,

Guthrie,
Heffner,
Johnson, A. W.,
Kovolenko,
Light,
McInroy,

Mihm,
Moran,
Rigby,
Rudisill,
Scarcelll,
Stevens,

Strausser,
Stroup,
Thompson,
Welsh,
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONGRATULATIONS

Mr. HELM. Every now and then we have a tense moment in this House. There is a flare-up of tempers and everyone gets a little bit hot around the collar. I think sometimes it is a good idea to bring something light into the operation of the House, and something that we can be a little cheery about.

Today happens to be the birthday of a very, very loyal employe of this House; a man who has served this House with a great deal of loyalty for 30 years. Today is his eightieth birthday and I think we ought to sing Happy Birthday to Frank Lillie, sitting up there.

The Members joined Mr. Dengler in singing Happy Birthday.

CONGRATULATIONS

Mr. McCANN. Mr. Speaker, today also happens to be the birthday of one of our distinguished Members from the great county of Westmoreland. Today is the birthday of Barnet Sakulsky of Westmoreland County. So what do you say, a happy birthday to Barney.

The Members joined Mr. Dengler in singing Happy Birthday.

The SPEAKER. The Chair recognizes the youthful Member.

Mr. SAKULSKY. Thank you, Mr. Speaker, I want to thank all the Members of the House. I feel something like Jack Benny felt when he was 38. This is my 38th birthday—from today on. Thank you.

Mr. FRANK. I rise to make a statement, Mr. Speaker.

The SPEAKER. The gentleman from Lehigh asks unanimous consent of the House to make a statement. The Chair hears no objection?

Mr. FRANK. Mozeltov, Barney.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 3 Printer's No. 1709, be taken from the table.

The motion was agreed to.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 3, entitled:

An Act providing for and regulating horse racing, other than harness racing with pari-mutuel wagering on the results thereof creating the State Horse Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of horse racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

On the question,

Shall the bill pass finally?

Mr. JIM. Mr. Speaker, I ask permission of the House to make a little bit of a personal statement and talk on the bill that has been taken from the table.

Personally, I have sat in my seat, No. 30, from the first day of the Session until today and I do not know if I missed one or two minutes. And the second position, so far I should be recorded as voting on all the issues brought before the House.

We have taken a bill from the table for the House to consider. I am asking no one either to vote for the bill or to be against the bill but I must make a statement at this time of my position on this bill. Don't be excited; I am not going to take everything out of this folder. I have taken some letters out of it that I have answered.

On April 1st I made up a form letter that answered all the letters from my district, that is the first district of Westmoreland County, on this bill, namely, House Bill No. 3.

My first form letter is dated April 1st—if you will bear with me, like I said I have sat in my seat and listened to debate and one thing and another and it has been very valuable to me sometimes in making my decisions. But today I am asking no one to make a decision on the proposed legislation taken from the table, excepting my personal feelings. Here is a copy of a form letter that I sent out April 1st. It starts out:

"In my many years of service in the House of Representatives I am always glad to know the views of my constituents. Under date of March 11, 1959 I received a letter from the late co-council of churches relative to a resolution opposing certain proposed legislation in our Commonwealth. As a man from an outstanding Christian family from Latrobe, I will vote against any House bills or Senate bills presented in the House for our consideration pertaining to horse racing with legal wagering within our state.

I have always prayed for the right guidance in my duties and services to the people in the Commonwealth of Pennsylvania.

With kindest regards, I am

Sincerely yours"

I am only going to mention some of the letters that I received from the churches of my district because I am vitally interested in the churches regardless of their religion.

The first one I have here is from the Latrobe Ministerial Association, Latrobe, Pennsylvania, dated March 11, 1959. I will not read the letter and it is opposing any betting. In another letter under date of March 30th, Latrobe Sunday School Activities—it is signed by many people of Latrobe. A letter from First Evangelical and Reformed Church, Latrobe, Pennsylvania, March 31st. Latrobe United Presbyterian Church, Latrobe, dated March 19th. The United Church of Christ, Latrobe, Pennsylvania. Latrobe Methodist Church, Latrobe, Pennsylvania. The Methodist parsonage, Latrobe, Pennsylvania. Derry Ministerial Association, Derry, Pennsylvania. St. James Evangelical Lutheran Church, Youngstown, Pennsylvania; United Presbyterian Church, Newport, Pennsylvania; and one letter was sent to me by air mail from a young man that I know in the service.

I have many other letters—I did not know that this bill was coming up—at my home. I just gave you the major letters that I received from churches of my district opposing betting.

Then I have a letter of congratulations. St. James Evangelical Lutheran Church of Youngstown, Pennsylvania; "Thank you kindly," and so forth.

Today I will make my decision and nobody knows how I am going to vote until my name is called.

Mr. WILLARD. Mr. Speaker, may I interrogate the gentleman from Westmoreland, Dr. Maxwell?

The SPEAKER. Will the gentleman from Westmoreland, Dr. Maxwell, permit himself to be interrogated?

Mr. MAXWELL. I shall, Mr. Speaker.

Mr. WILLARD. Mr. Speaker, under House Bill No. 3, Printer's No. 212, which was introduced in April, I just wonder whether that was a general referendum by the electorate of the state. Was it not, Mr. Maxwell?

Mr. MAXWELL. You mean before the present bill was amended?

Mr. WILLARD. The first bill, yes, sir.

Mr. MAXWELL. Yes, Mr. Speaker, it was.

Mr. WILLARD. Mr. Speaker, does this bill do the same thing?

Mr. MAXWELL. Mr. Speaker, this bill is not a general referendum. This bill is a local option, which means it will be voted on at a special election when no candidates would be running at that time.

Mr. WILLARD. Well, Mr. Speaker, this bill provides for four plants or tracks in the state, is that right?

Mr. MAXWELL. Mr. Speaker, it does.

Mr. WILLARD. In other words, then there will be four locations in this state or four counties would have the option of voting to secure a plant in their own county?

Mr. MAXWELL. Mr. Speaker, the way the gentleman is putting the question the answer is not quite correct. All the counties would have an opportunity, if they so desired, to vote on this. Only four that passed on a local option or a local special election would have the track, that is correct.

Mr. WILLARD. I thank the gentleman.

Mr. Speaker, one brief remark, if I may be permitted. I believe the electorate of this whole Commonwealth should have the privilege of voting on a bill so important to the people of this state. So therefore I am asking the Members on both sides of the House to defeat this House Bill No. 3.

Mr. HEAVEY. Thank you, Mr. Speaker. All I have to

say about horse racing is, the fellows who bet on the horses usually wind up with holes in their shoes.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—86

Anderson,	Gallagher,	Machmer,	Prendergast,
Arlene,	Gelfand,	Maxwell,	Reibman,
Balthaser,	Holt,	Meholchick,	Reidenbach,
Blair,	Irvls,	Mills,	Renwick,
Botes,	Isaacs,	Monroe,	Riley,
Bonner,	Jones, F. R.,	Muldowney,	Sakulsky,
Branca,	Jones, T. H. W.,	Mullen,	Schuster,
Capano,	Jump,	Munley,	Schwartz,
Cianfrani,	Kamyk,	Murphy, A. J., Jr.,	Sherman,
Clarke,	Kee,	Murphy, P. J.,	Shupnik,
Comer,	Kornick,	Murray, P. G.,	Silverman,
Crossin,	Lamb,	Musto,	Stank,
Dennis,	Leonard,	Needham,	Sullivan,
Devlin,	Limper,	O'Donnell, J. A.,	Taylor,
Dougherty,	Lippincott,	O'Donnell, J. P.,	Trusio,
Elberg,	Luigard,	Odorisio,	Varallo,
Fineman,	Lutty,	Parlante,	Verona,
Floyd,	McCann,	Pashley,	Wargo,
Flynn,	McCormack,	Perry, P. E.,	Wheeler,
Foerster,	McDonald,	Petrosky,	Yatron,
Frank,	McKeever,	Polaski,	Yetter,
Frascella,	McLaughlin,		

NAYS—95

Ashton,	Fox,	Kubitsky,	Snare,
Barton,	Fulmer,	Lee, A. M.,	Snider,
Bell,	Galley,	Lopresti,	Steckel,
Boris,	Garlock,	McCandless,	Stewart,
Bower,	George,	Magee,	Stimmel,
Bowman,	Gibb,	Mahan,	Stone,
Brenninger,	Goldstein,	Markley,	Stoner,
Breth,	Goodrich,	Merry,	Tompkins,
Burns,	Gramlich,	Miller, B. Z.,	Ujobal,
Cioffi,	Hamilton,	Miller, H. G.,	Varner,
Curwood,	Heavey,	Murray, H. P.,	Wall,
Davis,	Helm,	Naugle,	Walsh,
Dengler,	Henzel,	Nelson,	Weidner,
Dennison,	Hocker,	O'Dell,	Williams, A. D., Jr.,
Donahue,	Holliday,	Ogilvie,	Williams, E. S.,
Donaldson,	Horst,	O'Neil,	Willard,
Down,	Jim,	Perry, H. H.,	Willaredt,
Edwards,	Johnson, R.,	Polen,	Wilt,
Eshback,	Kelser,	Price,	Wood,
Eshleman,	Kernaghan,	Pursley,	Worley,
Ewing,	Kessler,	Rovansek,	Wynd,
Farabaugh,	Knecht,	Royer,	Zimmerman,
Fetterolf,	Kooker,	Schaaf,	Andrews,
Filo,	Korns,	Seltzer,	Speaker

NOT VOTING—27

Agnew,	Heffner,	Mihm,	Strausser,
Auker,	Jenkins,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Murray, J. J.,	Thompson,
Buchanan,	Kovolenko,	Rigby,	Welsh,
Capitolo,	Lee, K. B.,	Rudisill,	Wescott,
Cooper,	Light,	Scarcelll,	Whittaker,
Guthrie,	McInroy,	Stevens,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. JUMP. I just wanted to say that the boys with the holes in their shoes are now back on their feet.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

And said bill having been read at length the third time, considered and agreed to.

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Botes,	Goldstein,	Markley,	Schwartz,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvls,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, F. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorisio,	Weidner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Ellberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Floyd,	Leonard,	Polen,	Worley,
Flynn,	Limper,	Prendergast,	Wynd,
Foerster,	Lippincott,	Price,	Yatron,
Frank,	Lopresti,	Pursley,	Yetter,
Frascella,	Luigard,	Reibman,	Zimmerman,
	Lutty,	Reidenbach,	Andrews,
	McCandless,	Renwick,	Speaker
	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 2044, Printer's No. 1581

House Bill No. 2170, Printer's No. 1599

House Bill No. 2209, Printer's No. 1731

House Bill No. 2277, Printer's No. 1690

House Bill No. 2337, Printer's No. 1697 and

House Bill No. 2347, Printer's No. 1754

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2348, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for a space for the placing of blood type on operator's license card.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Gailey,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boies,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Musto,	Trusio,
Davis,	Jones, F. R.,	Naugle,	Ujobai,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Keiser,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kernaghan,	Odoriso,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Weidner,
Down,	Knecht,	O'Neill,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, P. E.,	Willard,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Limper,	Price,	Wynd,
Floyd,	Lippincott,	Pursley,	Yatron,
Flynn,	Lopresti,	Reibman,	Yetter,
Foerster,	Luigard,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,		Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Gailey,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Gelfand,	McLaughlin,	Sakulsky,
Barton,	George,	Machmer,	Schaaf,
Bell,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Boies,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heavey,	Merry,	Silverman,
Bowman,	Helm,	Miller, B. Z.,	Snare,
Branca,	Henzel,	Miller, H. G.,	Snider,
Brenninger,	Hocker,	Mills,	Stank,
Breth,	Holliday,	Monroe,	Steckel,
Burns,	Holt,	Muldowney,	Stewart,
Capano,	Horst,	Mullen,	Stimmel,
Cianfrani,	Irviss,	Munley,	Stone,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Jenkins,	Murphy, P. J.,	Sullivan,
Comer,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, F. R.,	Musto,	Trusio,
Davis,	Jones, T. H. W.,	Naugle,	Ujobai,
Dengler,	Jump,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Dell,	Verona,
Devlin,	Keiser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kessler,	Odoriso,	Wargo,
Dougherty,	Knecht,	Ogilvie,	Weidner,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Lamb,	Perry, P. E.,	Willard,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Farabaugh,	Lee, K. B.,	Polaski,	Wilt,
Fetterolf,	Leonard,	Polen,	Wood,
Filo,	Limper,	Prendergast,	Worley,
Fineman,	Lippincott,	Price,	Wynd,
Floyd,	Lopresti,	Pursley,	Yatron,
Flynn,	Luigard,	Reibman,	Yetter,
Foerster,	Lutty,	Reidenbach,	Zimmerman,
Fox,	McCandless,	Renwick,	Andrews,
Frank,	McCann,		Speaker
Frascella,			

NAYS—1

Garlock,

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2373, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) making the Capitol Police force an independent administrative agency.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.
The motion was agreed to.

BILLS PASSED OVER

There being no objection
House Bill No. 2374, Printer's No. 1716 and
House Bill No. 2376, Printer's No. 1699.
were passed over at the request of the SPEAKER.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bills Nos. 2396 and 2399 on page 18 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law" approved June 23, 1931 (P. L. 899) setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4.1), page 2, line 11, by striking out "painted."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2399, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last two lines of Title, by striking out "increasing" and inserting: "changing."

Amend Sec. 1 (Sec. 1025), page 2, line 6, by inserting brackets before and after "rubbish."

Amend Sec. 1 (Sec. 1025), page 2, line 6, by inserting brackets before and after "or cardboard."

Amend Sec. 1 (Sec. 1025), page 2, line 9, by inserting brackets before and after "rubbish."

Amend Sec. 1 (Sec. 1025), page 2, line 9, by inserting brackets before and after "or cardboard."

Amend Sec. 1 (Sec. 1025), page 2, line 15, by inserting brackets before and after "rubbish."

Amend Sec. 1 (Sec. 1025), page 2, line 15, by inserting brackets before and after "or cardboard."

Amend Bill, page 3, by inserting between lines 12 and 13:

Section 2. The act is amended by adding, after section 1025, a new section to read:

Section 1025.1. Throwing Rubbish, Cardboard or Paper from Vehicle or Tractor. No person shall throw or permit to be thrown from a vehicle or tractor any rubbish, cardboard or paper.

In any prosecution under this section, the throwing of rubbish, cardboard or paper from a vehicle or tractor shall be prime facie evidence they were thrown or permitted to be thrown from the vehicle or tractor by the operator or custodian.

If, at any hearing or proceeding, the operator or custodian shall testify under oath or affirmation that he did not throw rubbish, cardboard or paper from the vehicle or tractor and shall submit himself to an examination as to who did the throwing and reveal the name of such person, if known to him, or if the information is made in a court other than that of his own residence, shall forward to the magistrate an affidavit setting forth these facts, then the prima facie evidence arising as above set forth shall be overcome and removed and the burden of proof shifted.

Penalty. Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

Limitation. The provisions of this section are subject to the limitation of actions as set forth in section 1201 of this act.

Amend Sec. 2, page 3, line 13, by striking out "2" and inserting: "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 390, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,
Arlene,
Ashton,

Fulmer,
Galley,
Gallagher,

McCormack,
McDonald,
McKeever,

Riley,
Rovanssek,
Royer,

Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvls,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Keiser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorisio,	Weldner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Elberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Lulgard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, I hate to get up all the time on bills that affect borrowing money. I am afraid the Members are going to think I am an expert on borrowing. This very well may be. However, I think, in all fairness, the Membership should have some information about

this particular bill that they may not perhaps already have.

This bill purports to legalize what some banks in our Commonwealth have already been doing without any color of protection by our laws, or without legislative sanction. It sets up a so-called revolving credit account whereby you can establish a credit account with a bank then go out and write checks. When the checks come in the banks will honor them, up to the limit of the amount that they have agreed to let you write checks against.

This may or may not be legal, but I would like to call the attention of the Members of the House particularly to page 4 of the bill where it provides for the interest to be paid on these loans. The interest rate on these loans is 12 percent, 1 percent a month on the balance. As we all know, on a month's loan from a bank, the legal interest rate, the maximum rate that can be charged is 6 percent.

We are setting up another special exception here, permitting banking institutions to lend money at 12 percent. I would like to introduce another note, perhaps a larger policy factor in regard to this bill. I think it cannot have escaped the attention of the House, that nearly all the banking bills we have had to consider this term deal with consumer-type loans. Why is this? I think there is a very obvious reason for it. This is the type of loan on which banks make the most money. I think it is equally obvious that at this point in our economy we have never had so much outstanding consumer credit as we do right now and, at the same time, there has never been a greater need in the area of home-building and business expansion. In other words, you have only so big a pie to cut up so far as funds to be loaned are concerned. Obviously, it is to the interest of the bank to channel this money, this pie that can be loaned out into the channels, cut it up into pieces, where it will bring them the greatest rate of return. So, if we are lending more money on consumer credit of this sort, then by the same token we have that much less money to put into our home building, our mortgages, and helping to finance our businesses. I think everyone is aware of the really desperate need for credit in these areas, yet every bill that we have passed makes it more attractive for banks to lend on consumer financing the less money there is to go around for business expansion and for our homes.

Finally I would like to point out that this bill does the exact opposite to that which we had hoped to achieve by many of our banking institutions and that is the production of thrift in the people of our Commonwealth. If there was ever a bill which encourages people to go out and borrow money when perhaps they least can afford it, is this bill here. You establish your line of credit, you don't even have to sign a note, just enter into a contract, then what do you do? You write checks. There is not only interest at 12 percent on this balance, but may I point out, you also get charged ten cents for each check you write. This is very expensive money for our people. I think this bill should be voted down by the Members of this House.

Mr. GELFAND. Mr. Speaker, I, too, rise in opposition to this bill, and instead of belaboring the House with a long dissertation that I would make up as I go along, I would like to read a letter from the Department of Banking in Ohio. In Ohio apparently this same type of project was instituted by the banks and the banks in that State

sent an inquiry to the Department of Banking to see if such would be permissible in their State, and this is what the Department of Banking in Ohio said to the banks.

For the past 90 days this office has had under consideration plans purported to be new ideas in credit extension and additional banking services. The conclusion of this office is that they are just warmed-over ideas camouflaged to circumvent the laws and decisions of the courts that were enacted and rendered as a result of the unsafe and unsound practices of the Roaring Twenties. These plans and ideas have been given new names, but a rose is just as sweet by any other name. For example, the revolving credit plan is basically nothing more than an extension of credit by overdrafts. Overdrafts have been declared illegal by the courts and practices of permitting overdrafts have been consistently criticized by both state and national supervisory authorities.

Revolving credit is a banker's jargon for a perpetual loan. The practice of permitting perpetual loans by demand notes and notes without a definite repayment program and which will not clear within a reasonable period of time is not considered to be in keeping with sound credit policies. Revolving credit plans are deemed to be in this same category.

These innovations in banking are not considered to be in the best interest of the public for various reasons, the principal one being the cost of the plan to the customer is tainted with usury.

In considering these various plans, bankers have argued that they need to take their services to the people; also the large eastern banks have placed such plans in operation and they just have to be good. That rings a familiar bell! It will be remembered that a similar song was sung in the Roaring Twenties.

This office agrees that banks should improve their services but it should not be done by adopting unsafe and unsound loaning policies and practices.

I believe that these reasons are germane to this bill and I believe it would be a dangerous thing to permit such type of credit in our Commonwealth. I would therefore especially urge Members on both sides to vote this bill down.

Mr. SCHWARTZ. Mr. Speaker, I rise in support of this bill. I do not see anything wrong with it. In fact, I think it has certain definite advantages.

If you analyze the bill carefully you immediately realize that this is not a discounted loan. You are not charged interest on what you do not borrow. That is a great advantage to a borrower. In other words, if you go into a small loan company and you make a loan, you are immediately charged interest on that money. This is a little different. This gives you a line of credit just as it does some big business enterprise. However, if you do not use the money, you do not pay interest. They do not discount the interest in advance. This permits a small borrower to actually save money when he has to borrow because he can now go to a bank under this plan and borrow money at a cheaper rate of interest than he can under the small loans act. I say that this bill has much merit and that the Members on both sides of the aisle should vote in favor of it.

Mr. SCHAAF. Two or three weeks ago in Erie I had occasion to talk to an officer of one of the banks there and I am at the present time at a little bit of a loss to understand by virtue of what authority they are doing it, but, nevertheless, they have inaugurated this type of plan.

In discussing the plan and the mechanism of it, the thought occurred to me, and I think it is the same one mentioned by the gentleman from Philadelphia, Mr. Gelfand, of the situation, are you actually promoting overdrafts? His explanation was this, and I simply pass it on to the membership of the House, that these are not in fact overdrafts because the initiation of the plan requires some type of conference between the, we will call him the borrower for lack of a better term, and the bank which results in the execution of a contract.

Certainly any bank has a responsibility not only to its depositors, but to its shareholders, which would require that bank, before it initiates or gives anything which smacks of being a loan, to satisfy itself that the borrower is in fact a good risk. Where you have an overdraft you do not have this situation because you have usually one or more officers of the bank making an evaluation of whether or not so and so is a good risk for the purpose of honoring his checks. Here you have a previous control, a previous check on that situation. I do not think there is anything offensive about this policy as to the wisdom, as to the prudence, from a banking standpoint, nor certainly from the interest rates charged.

I think this is desirable legislation. I think it meets a need and I think, too, that too often we think of banks being cold institutions. After all, they are businesses which deal in a given commodity, their particular commodity being money. Therefore I would suggest to the Members that they support this legislation.

Mr. McCORMACK. Mr. Speaker, I rise to oppose this bill. Despite the arguments that were made pro and con, I have not heard any reason economically why we should support a bill like this. It seemed to me that if the present laws with respect to the lending of money are hurting the banks we ought to learn about that, and if the people are having difficulty borrowing money from banks under the present loan laws, I think we ought to do something about that. But nothing has been said.

I just read over the bill, and the primary reason I am against this is because it is fundamentally unfair. It is a bill that is in favor of a financial institution as opposed to an individual. My reason for saying that is this: In the bill it provides that an additional charge may be made to include reasonable attorney's fees to collect the delinquency. Now as a practicing attorney, and I am sure all of the attorneys have had this experience, I have had people come to me to collect small loans for them, individual people, not financial institutions. Out of the money recovered they have to deduct the fees that we charge. We cannot under the law require the person who owes the money to pay for counsel fees. Yet, here we are asking support for a bill that would permit a financial institution, with all of the resources and finances at its command, to charge the borrower a reasonable attorney's fee for collecting the money. I think that is unsound, and it is unfair to the small businesses and to the people who have to employ attorneys to collect money. I think that if we ought to change the law in that respect we ought to permit as cost in any assumption case reasonable attorney's fees. I know that we today have installment notes with provisions in them for attorney's fees, but I submit that we should not extend this bill to allow the banks to collect reasonable attorney's fees.

I ask that we vote against the bill.

Mr. SCHAAF. Mr. Speaker, I ask permission to interrogate the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. McCormack. I shall, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, I would ask the gentleman whether or not he has had, in his capacity as an attorney, any experience in collecting, what he called, an installment note?

Mr. McCormack. Very little.

Mr. SCHAAF. Is the gentleman informed as to whether or not the collection fees or the attorney fees provided for in such a note can be collected in all events or only in certain events?

Mr. McCormack. It depends entirely upon the terms of the contract, naturally.

Mr. SCHAAF. Mr. Speaker, then I would ask the gentleman whether or not the collection fees or the attorney fees can be included as a portion of the money payable on the note in the event that forcible collection of the note is not sought through recourse to the courts?

Mr. McCormack. I have tried to distinguish between the two situations where you have an installment note, the form note. There is usually a provision in there with respect to attorney fees, but I am talking about the average normal situation where a person owes another person money and there is no written contract. There is no way that you can collect reasonable attorney fees.

Mr. SCHAAF. Mr. Speaker, would the gentleman agree that in the judgment notes, as they are called, used throughout the Commonwealth of Pennsylvania that there is a precedent for the use of the same sort of device that is provided for by this note?

Mr. McCormack. If the gentleman had listened to what I said he would have heard me say that.

Mr. SCHAAF. Well, I take it, then, sir, you do agree.

Mr. McCormack. I will repeat it again. I said in the form notes that we have in use in this Commonwealth there is a provision for attorney fees.

Mr. SCHAAF. For the benefit of the other Members of the House then, Mr. Speaker, I would like to ask whether or not the gentleman is of the opinion that the borrower, under the provisions of this bill, would be required to pay attorney fees in the ordinary course of business; in other words, assuming he made such payments as are required by the contract with the bank.

Mr. McCormack. If this bill is passed, and revolving credit is established by virtue of this Senate bill, the banks will be able to include in their contract a provision for reasonable attorney fees.

Mr. SCHAAF. Mr. Speaker, the gentleman does not answer my question. I asked whether or not the borrower would have to pay the attorney fees in the ordinary course of repaying the loan.

Mr. McCormack. There is no attorney involved where they pay the loan; only when there is a delinquency.

Mr. SCHAAF. So that I clearly understand the gentleman, Mr. Speaker, then the attorney fees are paid only in the event of a default or a delinquency in the terms of the contract?

Mr. McCormack. Oh, there is no question about that.

Mr. SCHAAF. I thank the gentleman.

Mr. McCormack. May I ask the gentleman a ques-

tion? Mr. Speaker, may I interrogate the gentleman from Erie, Mr. Schaaf?

The SPEAKER. Will the gentleman from Erie, Mr. Schaaf, permit himself to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

Mr. McCormack. I will ask the gentleman a hypothetical question. If I lend you one hundred dollars without any contract other than a verbal contract, and you fail to pay it, can I, when I bring suit against you, include reasonable attorney fees as part of the cost?

Mr. SCHAAF. You may not.

Mr. McCormack. That is all.

Mr. SCHAAF. Mr. Speaker, I think the gentleman from Philadelphia has obscured something here which should be explained for the benefit of the membership of the House.

There is no difference in commercial practice in what is provided for by this bill, and what is traditional in Pennsylvania for the collection of promissory notes, the so-called judgment notes. They have traditionally provided for the imposition of attorney fees at such time as the note is presented for forceable collection, and I see no difference, no distinction in this situation which you have here provided in this bill.

Mr. SHERMAN. Mr. Speaker, I have listened carefully to the previous speakers, and of course must disagree with them.

I have had considerable experience with reference to notes, both for the party collecting same and for the party trying to prevent collection. Let us see what this bill actually provides.

First of all, it provides one percent per month interest. It appears that the banks are getting more and more from the standpoint of loan companies, the small loan companies. But one thing our previous speakers have failed to mention, under no circumstances can any small loan company put in its notes in any manner, shape or form a provision to collect any attorney fees. It is prohibited under the law. Under the guise, one way or another, no loan company can collect any attorney fees. The banks here, in this bill, have provided for reasonable attorney fees, and do they say when they collect on the note? No, they say to secure it. The mere placing of the note on record for the purpose of security would cause the party to be entitled to reasonable attorney fees. Furthermore, if it provides for insurance, the borrower has to pay, not the bank. If it provides for any other necessary amount to reimburse any public official—it does not specify to whom—for putting the note on record, all of these things are added to the cost to the borrower. I say the interest and penalty are certainly prohibitive, and I think we should vote against the bill at this time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—92

Anderson,	Fulmer,	Leonard,	Schwartz,
Ashton,	Garlock,	Lippincott,	Seltzer,
Balthaser,	George,	Lopresti,	Snare,
Barton,	Goodrich,	Lutty,	Snider,
Bell,	Gramlich,	McCann,	Stank,
Boris,	Hamilton,	McDonald,	Steckel,
Bower,	Heavey,	Merry,	Stimmel,
Bowman,	Helm,	Miller, H. G.,	Stoner,

Brenninger,	Henzel,	Mills,	Tompkins,
Capano,	Holliday,	Monroe,	Ujobal,
Clarke,	Horst,	Murphy, A.J., Jr.,	Varallo,
Davis,	Irvis,	Murphy, P. J.,	Wall,
Dengler,	Isaacs,	Murray, H. P.	Walsh,
Dennison,	Johnson, R.,	Odorisio,	Wargo,
Devlin,	Jones, T. H. W.,	Ogilvie,	Weldner,
Donahue,	Jump,	Parlante,	Wescott,
Down,	Kamyk,	Polaski,	Wheeler,
Edwards,	Keiser,	Polen,	Williams, A.D., Jr.,
Eshback,	Kernaghan,	Price,	Williams, E. S.,
Ewing,	Kessler,	Pursley,	Willard,
Fetterolf,	Knecht,	Reidenbach,	Willaredt,
Flynn,	Kubitsky,	Renwick,	Wynd,
Foerster,	Lamb,	Schaaf,	Zimmerman,

NAYS—88

Arlene,	Galley,	Magee,	Riley,
Boles,	Gallagher,	Mahan,	Rovansek,
Bonner,	Gelfand,	Markley,	Royer,
Branca,	Gibb,	Meholchick,	Sakulsky,
Breth,	Goldstein,	Miller, B. Z.,	Schuster,
Burns,	Hocker,	Muldowney,	Sherman,
Cianfrani,	Holt,	Mullen,	Shupnik,
Cioffi,	Jenkins,	Munley,	Silverman,
Comer,	Jim,	Murray, P. G.,	Stewart,
Crossin,	Jones, F. R.,	Musto,	Stone,
Curwood,	Kee,	Naugle,	Sullivan,
Dennis,	Kooker,	Needham,	Taylor,
Donaldson,	Kornick,	Nelson,	Trusio,
Dougherty,	Korns,	O'Donnell, J. A.,	Varner,
Eilberg,	Lee, A. M.,	O'Donnell, J. P.,	Verona,
Eshleman,	Limper,	O'Neil,	Wilt,
Farabaugh,	Luigard,	Pashley,	Wood,
Filo,	McCandless,	Perry, H. H.,	Worley,
Fineman,	McCormack,	Perry, P. E.,	Yatron,
Floyd,	McKeever,	Petrosky,	Yetter,
Fox,	McLaughlin,	Prendergast,	Andrews,
Frank,	Machmer,	Reibman,	Speaker
Frascella,			

NOT VOTING—28

Agnew,	Guthrie,	Maxwell,	Scarcelli,
Auker,	Heffner,	Mihm,	Stevens,
Blair,	Johnson, A. W.,	Moran,	Strausser,
Brown,	Kovolenko,	Murray, J. J.,	Stroup,
Buchanan,	Lee, K. B.,	O'Dell,	Thompson,
Capitolo,	Light,	Rigby,	Welsh,
Cooper,	McInroy,	Rudisill,	Whittaker,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, a former Member, "Doc" Waterhouse. We will ask "Doc" Waterhouse to tell us how to rope calves and how his crops are coming.

The Chair would like to present the former Secretary of the House to the Members. Will the former Secretary come up and say a word or two?

Mr. W. W. WATERHOUSE. Mr. Speaker, it is certainly a pleasure to be here and to have a chance to say hello to all of you. Needless to say, I miss being around and I miss the advice that I used to get from the wisdom of the Speaker. He is quite an authority on farming himself. But certainly I don't believe he is much better at roping Whitefaces than I am, and that's not good.

I have been doing quite a little bit of farm work, Mr. Speaker, and that accounts for my having this crew cut and also the tan. I am still out of jail—I understand I have had a little publicity—and of course, there is only half of it told. They didn't say that I put the money in the account out of any pocket and I wouldn't expect them to say that but that's all right.

I understand that you have had a very lengthy Session, Mr. Speaker, and could you give me any idea as to how much longer you are going to be here, or are you going to try make that 17 months one look like a short one?

The SPEAKER. We propose and some powerful people in other places dispose.

Mr. WATERHOUSE. Thanks a lot. It's really a pleasure to be here and I am really sorry I can't be around to kind of heckle people.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows, infant children or dependents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvis,	Murphy, A.J., Jr.,	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Keiser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorisio,	Weldner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Eilberg,	Kornick,	Parlante,	Williams, A.D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Luigard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelli,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1916 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Botes,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvis,	Murphy, A. J., Jr.	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Truslo,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Keiser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorislo,	Weldner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Eilberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Lulgard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelli,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 661.

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 3, by inserting after the word "institutions" the words "for a limited time"; Section 1, page 2, line 5, by striking out after the word "of" the word "(March)" and inserting in lieu thereof the word "April"; page 3, line 5, by striking out after the word "calendar" the word "year" and inserting in lieu thereof the word "years"; line 6, by striking out after the word "and" the word "thereafter" and inserting in lieu thereof the words "December thirty-first one thousand nine hundred sixty"; line 8, by inserting after the word "thereof" the words as follows: "and for the calendar year ending December thirty-first one thousand nine hundred sixty-one and thereafter at the rate of four mills upon each dollar of the actual value thereof."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. TOMPKINS. Mr. Speaker, I merely wish to call the attention of the Members on this side of the House that this is a bill relating to the tax on bank shares, and the amendments, as I understand it, make it a temporary instead of a permanent tax.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Anderson,	Fox,	McCandless,	Prendergast,
Arlene,	Frank,	McCann,	Price,
Ashton,	Frascella,	McCormack,	Reidenbach,
Balthaser,	Galley,	McDonald,	Renwick,
Blair,	Gallagher,	McKeever,	Riley,
Botes,	Garlock,	McLaughlin,	Rovansek,
Bonner,	Gelfand,	Machmer,	Sakulsky,
Bower,	Goldstein,	Maxwell,	Schaaf,
Branca,	Hamilton,	Meholchick,	Schuster,
Breth,	Heavey,	Mills,	Schwartz,
Burns,	Helm,	Monroe,	Seltzer,
Capano,	Henzel,	Muldowney,	Sherman,
Cianfrani,	Hocker,	Mullen,	Shupnik,

Cioffi, Clarke Comer, Crossin, Curwood, Dennis, Dennison, Devlin, Donaldson, Dougherty, Ellberg, Ewing, Farabaugh, Fillo, Fineman, Floyd, Flynn, Foerster,	Holt, Irvls, Jenkins, Jim, Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kornick, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lopresti, Luigard, Lutty,	Munley, Murphy, A. J., Jr. Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen,	Silverman, Snare, Snider, Stank, Stewart, Stone, Sullivan, Taylor, Trusio, Varallo, Walsh, Wargo, Wescott, Wheeler, Williams, A. D., Jr., Yatron, Yetter, Andrews, Speaker
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NAYS—61

Barton, Bell, Boris, Bowman, Brenninger, Davis, Dengler, Donahue, Down, Edwards, Eshback, Eshleman, Fetterolf, Fulmer, George, Gibb,	Goodrich, Gramlich, Holliday, Horst, Isaacs, Johnson, R., Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Lee, A. M., Lippincott, Magee,	Mahan, Markley, Merry, Miller, B. Z., Miller, H. G., Murphy, P. J., Murray, H. P., Murray, P. G., Odorisio, Ogilvie, Pursley, Reibman, Royer, Steckel, Stimmel,	Stoner, Tompkins, Ujobai, Varner, Verona, Wall, Weidner, Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Zimmerman,
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NOT VOTING—23

Agnew, Auker, Brown, Buchanan, Capitolo, Cooper,	Guthrie, Heffner, Johnson, A. W., Kovolenko, Light, McInroy,	Mihm, Moran, Rigby, Rudisill, Scarcelll, Stevens,	Strausser, Stroup, Thompson, Welsh, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 662.

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and

ninety-five commonly known as title insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 14, by inserting after the second word "company" the words "for a limited time"; Section 1, page 5, by striking out after the word "of" the word "March" and inserting in lieu thereof the word "April"; page 5, line 19, by striking out after the word "calendar" the word "year" and inserting in lieu thereof the word "years"; page 6, line 1, at the beginning of the line by striking out the word "thereafter" and inserting in lieu thereof the following: "December thirty-first one thousand nine hundred sixty"; line 3, by inserting after the word "thereof" the following: "and for the calendar year ending December thirty-first one thousand nine hundred sixty-one and thereafter at the rate of four mills upon each dollar of the actual value thereof."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Anderson, Arlene, Ashton, Balthaser, Blair, Boles, Bonner, Bower, Branca, Breth, Burns, Capano, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dennis, Dennison, Devlin, Donaldson, Dougherty, Ellberg, Ewing, Farabaugh, Fillo, Fineman, Floyd, Flynn, Foerster, Fox,	Frank, Frascella, Gailey, Gallagher, Garlock, Gelfand, Goldstein, Hamilton, Heavey, Helm, Henzel, Hooker, Holt, Irvls, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kornick, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Maxwell, Meholchick, Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast,	Price, Reidenbach, Renwick, Riley, Rovanssek, Sakulsky, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Stewart, Stone, Sullivan, Taylor, Trusio, Varallo, Walsh, Wargo, Wescott, Wheeler, Williams, A. D., Jr., Yatron, Yetter, Andrews, Speaker
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NAYS—61

Barton, Bell, Boris, Bowman, Brenninger, Davis, Dengler, Donahue, Down, Edwards, Eshback, Eshleman, Fetterolf, Fulmer, George,	Gibb, Goodrich, Gramlich, Holliday, Horst, Isaacs, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Lee, A. M., Lippincott, Magee,	Mahan, Markley, Merry, Miller, B. Z., Miller, H. G., Murphy, P. J., Murray, H. P., Murray, P. G., Odorisio, Ogilvie, Pursley, Reibman, Royer, Steckel, Stimmel,	Stoner, Tompkins, Ujobai, Varner, Verona, Wall, Weidner, Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Zimmerman,
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NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcell,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 959.

An Act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Table of Contents, page 3, line 12, by striking out after the word "Wardens" the numerals "250" and inserting in lieu thereof the numerals "249"; Chapter I, line 1, by striking out after the word "Chapter" the numeral "1" and inserting in lieu thereof the numeral "I"; Chapter II, Article II, page 7, line 12, by striking out after the word "the" the word "fifteenth" and inserting in lieu thereof the word "twelfth"; line 13, by inserting after the word "April" the words "or the first Saturday morning following"; Article V, page 14, line 12, by inserting after the word "fish" the words "and suckers"; line 19, by inserting after the word "arrows" the words "or spears" and by inserting after the word "carp" the words "and suckers"; Chapter VIII, page 76, line 12, by inserting after the word "use" the words "in accordance with the regulations of the Sanitary Water Board"; Chapter XII, page 91, line 16, by striking out after the word "Commission" the word "shall" and inserting in lieu thereof the word "may"; line 17, by striking out after the word "appoint" the words "two one" and inserting in lieu thereof the word "two" and by striking out after the word "executive" the words "directors the first of whom director who" and inserting in lieu thereof the words "directors the first of whom"; line 20, by inserting after the word "and" the words "the second shall be in charge of and responsible for"; page 97, by striking out after line 7 the following: "(e) to search without warrant any boat conveyance vehicle fish box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) to seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth fish so seized shall be disposed of in any manner as the Executive Director may direct (g) to enter upon any land or water in the performance of his duty (h) (E)" and inserting in lieu thereof the following: "(e) To search without warrant any boat conveyance vehicle fish-box bag basket or other receptacle for fish when he has reason to

believe that any provision of any law of this Commonwealth relating to fish has been violated (f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth fish so seized shall be disposed of in any manner as the executive director may direct (g) To enter upon any land or water in the performance of his duty (h)"; page 98, line 13, by striking out the letters "(i) (F)" and inserting in lieu thereof the letter "i"; line 14, by striking out after the word "evidence" the letters "(j) (G)" and inserting in lieu thereof the letter "j"; Chapter XV, by inserting after page 113, the following: "(p) The commission is authorized to make such charges with respect to lands or waters under its jurisdiction as it may in its discretion determine such arrangements to be made directly by the commission and the funds derived thereby to become a part of the Fish Fund provided that this is not to be construed as permitting the Fish Commission to raise or lower fishing license fees."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1071.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" regulating the advertising of merchandise offered for sale by certain businesses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 13, by inserting after the word "import" the following: "containing the word 'wholesale'"; and by striking out after line 16, the following: "It shall be deemed deceptive advertising within the meaning of this section for any person partnership firm association or corporation to advertise any item of merchandise for sale unless such advertisement be backed up by a reasonably sufficient supply of the advertised item of merchandise to meet public demand resulting from such advertisement unless the quantity offered for sale is limited and such a fact is stated in the advertisement."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvis,	Murphy, A. J., Jr.	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Wargo,
Dougherty,	Kessler,	Odorisio,	Weidner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Ellberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Luigard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1897.

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" further regulating deposits and disbursements of funds by brokers.

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 5, by striking out after the word "regulating" the word "the" and inserting in lieu thereof the words "deposits and"; page 3, line 18, by striking out after the word "account" the following: "or to be commingled with any funds he may have on deposit".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irvis,	Murphy, A. J., Jr.	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Wargo,
Dougherty,	Kessler,	Odorisio,	Weidner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Ellberg,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Luigard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelll,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2100.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "An act to provide revenue for purposes of public education by imposing a tax on the sale use storage rental or consumption of certain personal property and certain services providing for licenses reports and payment of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers corporations partnerships associations and individuals and making an appropriation" defining or redefining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states In certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend Title, page 1, line 2, by striking out after the word "for" the word "Commonwealth" and inserting after the word "purposes" the words "of public education"; line 4, by striking out after the word "certain" the word "tangible"; line 5, by striking out after the word "and" the word "utility" and inserting in lieu thereof the word "certain"; and by striking out after the word "services" the words "herein defined as tangible personal property"; page 2, line 2, by inserting after the word "appropriation" the following: defining or redefining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising."

Page 2, line 12, by striking out after the word "on" the word "vendors" and inserting in lieu thereof the words "certain sellers transferors auctioneers"; line 14, by inserting after the word "sales" the words "or auction sales"; line 17, by inserting after the word "states" the words "in certain cases"; line 19, by striking out after the word "of" the word "interest"; page 3, line 1, by striking out after the word "regulations" the following: "and prescribing the place where records and tax collections shall be kept"; Section 1, by striking out fater the word and figure "Section 1" the following words and figures "Paragraph (2) of subsection (b) of section 520" and inserting in lieu thereof the following: "clause (a) of section 2"; line 3 by striking out after the word "amended" the following: "August 20, 1959 (Act No. 258)"; and by inserting after line 4, the following:

Section 2 Definitions the following words terms and

phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning.

(a) ["Bottled soft drinks."

All "soft drinks" which are closed and sealed in glass metal paper or any other type of container or bottle of less than one gallon capacity] "soft drinks" all non-alcoholic beverages whether carbonated or not such as sode water ginger ale coca cola lime cola Pepsi Cola Dr Pepper fruit juice when [any] plain or carbonated water flavoring or syrup is added carbonated water orangeade lemonade root beer or any and all preparations commonly referred to as "soft drinks" of whatsoever kind and are further described as including any and all beverages commonly referred to as "soft drinks" which are made with or without the use of any syrup the term "soft drinks" shall not include natural fruit or vegetable juices or their concentrates or natural concentrated fruit or vegetable juices reconstituted to their original state whether any of the foregoing natural juices are frozen or unfrozen sweetened or unsweetened seasoned with salt or spice or unseasoned nor shall the term "soft drinks" include coffee coffee substitutes tea cocoa natural fluid milk or non-carbonated drinks made from milk derivatives."

* * *

Section 2 Clause (b) of section 2 of the act amended April 15, 1959 (P. L. 20) is amended by adding at the end thereof a new subclause to read

Section 2 Definitions

* * *

(b) "Maintaining a place of business in this Commonwealth"

* * *

(3) Regularly or substantially soliciting orders within this Commonwealth in connection with the lease sale or delivery of tangible personal property to or the performance thereon of services for residents of this Commonwealth by means of catalogues or other advertising whether such orders are accepted within or without this Commonwealth

* * *

Section 3 The last paragraph of clause (e) and the last paragraph of subclause (2) of clause (h) of Section 2 of the act amended August 20, 1959 (Act No. 258) are amended to read

Section 2 Definitions

* * *

(e) "Purchase at retail" * * *

[The term "purchase at retail" with respect to "bottled soft drinks" shall include the purchase of "bottled soft drinks" from a "soft drink bottler" or "soft drink distributor" by any person for any purpose except purchases by a "soft drink bottler" or "soft drink distributor" the term "purchase at retail" shall not include any purchase of "bottled soft drinks" from any person other than a "soft drink bottler" or "soft drink distributor"]

* * *

(h) "Resale"

* * *

(2) * * *

[The term "resale" shall not include any sale] [of "bottled soft drinks" by any person other than a "soft drink bottler" or "soft drink distributor"]

Section 4 Clause (i) of Section 2 of the act is amended by adding at the end thereof a new subclause to read

Section 2 Definitions

* * *

(i) "Resident"

* * *

(3) Any association fiduciary partnership or other entity (I) domiciled in this Commonwealth or (II) authorized to do business or doing business within this Commonwealth or (III) maintaining a place of business within this Commonwealth

* * *

Section 5 Paragraph (II) of subclause (3) subclause (4) and the last paragraph of clause (j) Section 2 of the act amended August 20, 1959 (Act No. 258) are amended to read

Section 2 Definitions

* * *

(j) "Sale at retail"

* * *

(3) The rendition for a consideration of the service of

* * *

(II) Inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code" [or "The Tractor Code"]

(4) The rendition for a consideration of the service of repairing altering or cleaning tangible personal property or applying or installing tangible personal property as a repair or replacement part of other personal property for a consideration whether or not any tangible personal property is transferred in conjunction therewith except such services as are rendered in the construction reconstruction remodeling repair or maintenance of real estate notwithstanding the meaning ascribed to the term "tangible personal property" by clause (1) of this Section 2 for the purposes of this subclause 2 (j) (4) only the term "tangible personal property" shall also include any and all wearing apparel upon which the services described herein including such services as drycleaning dyeing fitting laundering mending or pressing may be performed whether the services are performed directly or by means of coin-operated equipment or by any other means Provided however That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new wearing apparel (other than that described by clause (1) (2) of this Section 2) or upon diaper service

* * *

[The term "sale at retail" with respect to "bottled soft drinks" shall include the sale of "bottled soft drinks" by a "soft drink bottler" or "soft drink distributor" to any person for any purpose except sales to a "soft drink bottler" or "soft drink distributor" for resale the term "sale at retail" shall not include any sale of "bottled soft drinks" by any person other than a "soft drink bottler" or "soft drink distributor" for resale the term "sale at retail" shall not include any sale of "bottled soft drinks" by any person other than a "soft drink bottler" or "soft drink distributor"]

* * *

Section 6 Clauses (j.1 and j.2) of Section 2 of the act added August 20 1959 (Act No 258) are repealed

Section 7 Paragraph (17) of Clause (1) of Section 2 of the act amended August 20 1959 (Act No. 258) is amended to read

Section 2 Definitions

* * *

(1) "Tangible Personal Property"

* * *

(17) Food and beverages (except when purchased at or from a school church or hospital in the ordinary course of activities of such organization) when the purchase price of the total transaction is more than fifty cents (50¢) when purchased (I) from persons engaged in the business or catering or (II) from persons engaged in the business of operating restaurants cafes lunch counters private and social clubs taverns dining cars hotels and other eating places except when packaged for home consumption for the purposes of this clause (17) beverages shall not include malt and brewed beverages and spirituous and vinous liquors [or bottled] but shall include soft drinks [whether or not served in the original container] and the price of such soft drinks shall be considered together with the price of other beverages and food in determining whether the purchase price of the total transaction is more than fifty cents (50¢)

* * *

Section 8 Paragraph (18) of Clause (1) of Section 2 of the act added August 20 1959 (Act No 258) is amended to read

Section 2 Definitions

* * *

(1) "Tangible Personal Property"

* * *

(18) Malt or brewed beverages spirituous and vinous liquors [and bottled soft drinks]

* * *

Section 9 Clause (1) of Section 2 of the act is amended by adding after paragraph (18) a new paragraph to read

* * *

(1) "Tangible Personal Property"

(19) Soft drinks except when part of a taxable purchase of food and beverages under the provisions of paragraph (17) of this clause

* * *

Section 10 Paragraph (19) of Clause (1) subclause (3) the first paragraph of subclause (4) and the last paragraph of clause (n) of Section 2 clause (b) of section 201 clause (f) of section 203 and section 204 of the act amended August 20 1959 (Act No 258) are amended to read

Section 2 Definitions

* * *

(1) "Tangible Personal Property"

* * *

[(19)] (20) Periodical and other publications but not including publications which are published at regular intervals not exceeding three months circulated among the general public and containing matters of general interest and reports of current events

* * *

(n) "Use"

* * *

(3) The obtaining by a purchaser of the service of (I) washing cleaning waxing polishing or lubricating of motor vehicles whether or not any tangible personal property is transferred to the purchaser in conjunction with such services and (II) inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code" [or "The Tractor Code"]

(4) The obtaining by a purchaser of the service of repairing altering or cleaning tangible personal property or applying or installing tangible personal property as a repair or replacement part of other personal property whether or not any tangible personal property is transferred to the purchaser in conjunction therewith except such services as are obtained in the construction reconstruction remodeling repair or maintenance of real estate notwithstanding the meaning ascribed to the term "Tangible Personal Property" by clause (1) of this section 2 for the purposes of this subclause 2 (n) (4) only the term "Tangible Personal Property" shall also include any and all wearing apparel upon which the services described herein including such services as drycleaning dyeing fitting laundering mending or pressing may be performed whether the services are performed directly or by means of coin-operated equipment or by any other means Provided However That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new wearing apparel (other than that described by clause (1) (2) of this Section 2) or upon diaper service and provided further that the term "use" shall not include

* * *

The term "use" with respect to "bottled soft drinks" shall include the purchase of "bottled soft drinks" from a "soft drink bottler" or "soft drink distributor" by any person for any purpose except purchases by a "soft drink bottler" or "soft drink distributor" for resale the term "use" shall not include any purchase of "bottled soft drinks" from any person other than a "soft drink bottler" or "soft drink distributor" The use of tangible personal property purchased at retail upon which the services described in subclauses (2) (3) and (4) of this clause (n) have been performed shall be deemed to be a use of said services by the person using said property

* * *

Section 201 Imposition of tax * * *

(b) There is hereby imposed upon the use on and after the effective date of this act within this Commonwealth of tangible personal property purchased at retail on or after March 7 1956 and on those services described herein purchased at retail on and after April 15 1959 a tax of

four per cent of the purchase price which tax shall be paid to the Commonwealth by the person who makes such use as herein provided except that such tax shall not be paid to the Commonwealth by such person where he has paid the tax imposed by subsection (a) of this section or has paid the tax imposed by this subsection (b) to the vendor with respect to such use the tax at the rate of four per cent imposed by this subsection shall not be deemed applicable where the tax has been incurred at the rate of three per cent or three and one-half per cent under this subsection prior to this amendment

Section 203 Exclusions from tax The tax imposed by Section 201 shall not be imposed upon

* * *

(f) The sale at retail or use of [machinery equipment parts supplies and the obtaining of those services described in subclauses (2) and (4) of clause (j) of section 2 of this act directly used] tangible personal property or services to be used or consumed directly in broadcasting radio and television programs by licensed commercial stations

* * *

Section 204 Alternate Imposition of Tax (a) If any person brings tangible personal property purchased for use outside the Commonwealth into the Commonwealth for use (other than complete consumption) therein for a period not to exceed six months such person may upon notice to the Department within ten days of the commencement of use of such property within the Commonwealth elect to pay a tax upon the use of such property equal to four per cent (4%) of the fair rental value of such property for the actual period of use if such use does not exceed six months should such property be completely consumed within the Commonwealth or remain therein for longer than six months the taxpayer shall be liable for a tax upon the use of such property according to Section 201 (b) of this act but shall be allowed a credit equal to seventy per cent (70%) of the tax paid pursuant to the election provided for in this section such election may not be made with respect to any tangible personal property purchased or used in a state having a tax similar to that imposed by this act which does not grant either

[(a)] (1) A similar election with respect to tangible personal property upon the sale or use of which tax has been paid under the provisions of this act or

[(b)] (2) Tax relief substantially similar to that granted by Section 205 of this act

(b) If any person actively and principally engaged in the business of selling new or used motor vehicles trailers or semi-trailers and registered with the Department in the "Dealer's Class" acquires a motor vehicle trailer or semi-trailer for the purpose of resale and prior to such resale uses the motor vehicle trailer or semitrailer for a taxable use under this act during a period not exceeding one year from the date of acquisition to the date of resale such person may upon notice to the Department within ten days of the commencement of such use elect to pay a tax equal to four per cent (4%) of the fair rental value of the motor vehicle trailer or semi-trailer during such use Should such motor vehicle trailer or semi-trailer be used for a taxable use after a period of one year the taxpayer shall be liable for a tax on the fair market value of such motor vehicle trailer or semi-trailer at the time of acquisition but shall be allowed a credit equal to the tax paid pursuant to the election provided for in this subsection This subsection shall not apply to the use of a vehicle as a wrecker parts truck delivery truck or courtesy car

Section 11, Paragraph (2) of subsection (b) of section 520 of the act amended July 8, 1957 (P. L. 584) is amended to read page 22, line 10, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figures "12"; line 13, by striking out the brackets enclosing the words "in accordance with" and inserting immediately thereafter the following: "this act and all taxes collected by any person from purchases"; line 15 by inserting after the word "act" the following: "which have not been properly refunded by such person to the purchaser"; line 19, by inserting after the word "person" the words "(other than a purchaser to whom a refund has been made properly)"; page 23, line 10, by striking out after the

word "Section" the figure "3" and inserting in lieu thereof the figures "13"; line 16, by striking out after the word "difference" the words "The difference shown on the assessment"; line 17 by striking out the bracket before the word "together" line 18, by striking out the bracket following the word "difference" and inserting immediately thereafter the word "which"; line 19, by striking out after the word "taxpayer" the following: "and in addition thereto three per cent of such difference shall be added thereto and paid to the department for each month or fraction thereof during which said difference remains unpaid but such addition shall not exceed a total of eighteen per cent of said difference" and inserting in lieu thereof the following: "If such assessment is not paid within ten days there shall be added thereto and paid to the department and additional three per cent of such difference for each month thereof during which the assessment remains unpaid but the total of all additions shall not exceed eighteen per cent of the difference shown on the assessment;" page 24, line 16, by inserting after the word "deficiency" where it appears the second time the following: "and the reasons therefor"; page 25, line 9, by striking out after the word "in" the word "a," and by striking out after the word "reasonable" the word "manner" and inserting in lieu thereof the word "detail"; page 26, line 11, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figures "14"; line 13, by striking out after the word "Motor" the word "Vehicle" and inserting in lieu thereof the word "Vehicles"; page 27, by striking out after the word "Code" on line 2, the words "or 'The Tractor Code'"; line 15, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figures "15"; line 17, by inserting after the word "Bulk" the words "and auction" and by striking out after the word "who" the following: "licensed or required to be licensed under the provisions of section 301 of this act or is liable for filing use tax returns in accordance with section 520 of this act who" and inserting in lieu thereof the following: "shall sell or cause to be sold at auction or who"; page 28, line 3, by inserting after the word "estate" the following: "involved in a business for which such person is licensed or required to be licensed under the provisions of section 301 of this act or is liable for filing use tax returns in accordance with section 520 of this act"; line 9, by striking out after the word "property" the following: "It shall also be the duty of every such person to file all tax returns relating to the tax imposed by this act with the department to and including the date of such proposed transfer of property and pay all taxes due to and including said date The seller or transferor shall present to the purchaser of such property a certificate from the department showing that all tax returns relating to the tax imposed by this act have been filed and all taxes paid to and including the date of the proposed transfer The failure of the purchaser to acquire this certificate shall render such purchaser liable to the Commonwealth for the unpaid taxes owing by the seller or transferor to and including the date of such transfer whether or not at that time such taxes have been assessed as determined" and inserting in lieu thereof the following: "whenever the seller or transferor shall fail to give such notice to the department or whenever the department shall inform the purchaser or transferee that a possible claim for tax imposed by this act exists any sums of money property or choses in action or other consideration which the purchaser or transferee is thereafter required to transfer over to the seller or transferor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller or transferor and the purchaser or transferee is forbidden to transfer to the seller or transferor any such sums of money property or choses in action to the extent of the amount of the Commonwealth's claim for failure to comply with the provisions of this section the purchaser or transferee shall be liable for the payment to the Commonwealth of any such taxes theretofore or thereafter determined to be due from the seller or transferor and such liability may be assessed and enforced in the same manner as the liability for tax under this act;" page 30, line 4, by striking out after the word

"this" the word "section" and inserting in lieu thereof the word "provision"; line 6, by striking out after the word "this" the word "section" and inserting in lieu thereof the word "provision"; line 7, by striking out after the word "to" the following: "have been filed whenever any person files a notice with the department pursuant to the provisions" and inserting in lieu thereof the words "satisfy the requirements"; line 9, by inserting after the word "Code" the words "as to taxes imposed by this act"; line 11, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figures "16"; line 18, by striking out after the word "the" the words "franchises and"; page 31, line 1, by striking out the word "franchises" at the end of the line; line 2, by striking out at the beginning of the line the word "or"; line 11, by inserting after the word "Lien" the words "on judicial sale"; line 12, by striking out after the word "shall" the words "upon any execution by the Commonwealth"; line 15, by striking out after the word "estate" the words "franchises or" and by striking out the brackets before and after the words "subsequently become" and by striking out immediately thereafter the word "be"; line 16, by striking out the brackets before and after the words "subsequently become" and by striking out immediately thereafter the word "be"; line 17, by striking out the brackets before and after the words "mortgage or other liens" and by striking out immediately thereafter the words "the lien of real estate mortgages"; page 32, by inserting after the word "may" the word "directly"; line 8, by striking out after the word "lien" the following: "in the manner in which writs are ordinarily employed without any" and inserting in lieu thereof the words "without the"; line 10, by inserting after the word "facias" the following: "but the said lien shall have no effect upon any stock of goods wares or merchandise regularly sold or leased in the ordinary course of business by the person against whom said lien has been entered unless and until a writ of execution has been issued and a levy made upon said stock of goods wares or merchandise"; page 33, line 3, by striking out after the word "Tax" the word "In", and inserting immediately thereafter the words "Except as hereinbefore provided in"; line 16, by striking out after the word "Remedies" the word "Nothing" and inserting immediately thereafter the word "subject to the limitations contained in this act as to the assessment of taxes nothing"; page 34, line 1, by inserting after the word "department" the following: "in collecting taxes finally due and payable"; line 4, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figures "17"; page 35, line 4, by inserting after the word "for" the words "sales and use"; page 36, by striking out after line 3, the following:

"Section 8 Sections 554 and 555 of the act added May 9, 1957 (P. L. 114) are amended to read

"Section 554 Review by Board of Finance and Revenue Within sixty days after the date of mailing of notice by the department of the decision upon a petition for refund filed with it pursuant to section 553 The petitioner may further petition the Board of Finance and Revenue to review the decision of the department The failure of the department to notify the petitions of its decision within the time provided for by section 553 shall act as a denial of such petition and a petition for review may be filed with the Board of Finance and Revenue within one hundred twenty days of the date prior to which the department should have mailed to the petitioners its notice of decision Every petition for review filed with the Board of Finance and Revenue under the provisions of this section shall incorporate by reference the petition for refund The petitioner may in his petition for review elect to withdraw one or more grounds as set out in the original refund petition The Board of Finance and Revenue shall act finally in disposing of such petitions filed with it within six months after they have been received In the event of the failure of the board to dispose of any petition within six months the action taken by the department upon the petition for refund shall be sustained The Board of Finance and Revenue may sustain the action taken by the department on a petition for refund or it may redetermine whether a lesser or greater amount of refund is

proper Under no circumstances may the Board of Finance and Revenue authorize a refund greater than that originally applied for by the petitioner Within the time herein provided for final disposition of a petition the Board of Finance and Revenue on its motion or on the application of any party shall have the power to vacate any decision or order which it has made and to grant a rehearing or reargument in any proceeding whether or not a decision or order has been made thereon Provided however that the Board shall not take such action in any case with respect to which an appeal has been filed except at the direction of the court before whom the appeal is pending

"Section 555 Appeal to the Court of Common Pleas of Dauphin County Any person aggrieved by the decision of the Board of Finance and Revenue under section 554 or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or of the department as the case may be in the manner now or hereafter provided for by law for appeals in the case of tax settlements The court at its discretion may remand any appeal to the department for such action as the court deems necessary to the orderly disposition of the appeal" and inserting in lieu thereof the following:

"Section 18 section 552 and subsection (b) of section 553 of the act amended July 8, 1957 (P. L. 584) are amended to read

"Section 552 refunds the department shall pursuant to the provisions of sections 553 and 554 refund all taxes interest and penalties paid to the Commonwealth under the provisions of this act and to which the Commonwealth is not rightfully entitled such refunds shall be made to the person his heirs successors assigns or other personal representatives who actually paid the tax provided that no refund shall be made under this section with respect to any payment made by reason of [that portion of] an assessment with respect to which a taxpayer has filed a petition for reassessment pursuant to section 542 of this act to the extent that said petition has been determined adversely to the taxpayer by a decision which is no longer subject to further review or appeal provided further that nothing contained herein shall be deemed to prohibit a taxpayer who has filed a timely petition for reassessment from amending it to a petition for refund where the petitioner has paid the tax assessed

"Section 553 Refund petitions * * *

"(b) A refund or credit of tax interest or penalty paid as a result of an assessment made by the department under section 541 shall be made only where the person who has actually paid the tax files with the department a [notice of intention to petition for refund of such payment within thirty days of the date of payment and files a] petition for a refund with the department within six months after the date the notice of assessment was mailed the filing of [such notice of intention to petition for refund and of] a petition for refund under the provisions of this subsection shall not affect the abatement of interest additions or penalties to which the person may be entitled by reason of his payment of the assessment; page 40, line 12, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figures "19"; line 14, by striking out after the word "of" the word "Interest"; and by inserting after the word "upon" on line 14, the words "the filing of a"; line 15, by inserting after the word "petition" the following: "for reassessment or a petition for refund as provided under this act"; line 17, by striking out after the word "payer" the following: "the Secretary of Revenue may waive or abate in whole or in part any interest"; line 19, by striking out after the word "act" the words "where in the judgment of the Secretary" and inserting in lieu thereof the words "may be waived or abated in whole or in part where"; page 41, line 3, by striking out after the word "Section" the figures "10" and inserting in lieu thereof the figures "20"; and by striking out after line 14 the following:

"Section 11 Subsection (c) of section 581 of the act amended May 9, 1957 (P. L. 114) is amended to read

"Section 581 Keeping of Records * * *

"(c) [Records of Non-Residents A non-resident who

does business in this Commonwealth as a retail dealer shall keep adequate records of such business or businesses and of the tax due with respect thereto which records shall at all times be retained within the Commonwealth unless retention outside the Commonwealth is authorized by the department. No taxes collected from purchases shall be sent outside the Commonwealth without the written consent of and in accordance with conditions prescribed by the department. The department may require a taxpayer who desires to retain records or tax collections outside the Commonwealth to assume reasonable out-of-state audit expenses.] Place Where Records and Tax Collections Shall Be Kept

"(1) Where a person makes sales of property or services at or from establishments or locations within this Commonwealth records relative to such transactions and the sales or use taxes collected at such establishments or locations shall at all times be retained within this Commonwealth unless such person has received written authorization from the department to remove them

"(2) Where a person makes sales of property or services on which he is liable for the collection of sales or use tax at or from establishments or locations outside this Commonwealth records relative to the transactions and sales and use taxes collected at such establishments or locations may be retained (i) within this Commonwealth or (ii) at the principal place of business or home office of such person. Provided however That where such person chooses to retain records at an establishment or location outside this Commonwealth he shall upon request reimburse the Commonwealth for the reasonable cost or expense of transportation of agents of the department incurred outside the Commonwealth in the performance of lawful audits and examinations of such records

"(3) Records created or received by a person within this Commonwealth with respect to his use of property or services on which he is subject to tax shall be retained within this Commonwealth

"Section 12 Section 604 of the act amended April 5 1957 (P L 34) is amended to read

"Section 604 Appropriation (a) So much of the proceeds of the tax imposed by this act as shall be necessary for the payment of refunds is hereby appropriated for the payment of such refunds

"(b) All additions and penalties imposed and collected under the provisions of this act shall be payable to the Commonwealth and are hereby appropriated to the Department to be used in the enforcement of this act; and inserting in lieu thereof the following:

"Section 21 The last paragraph of subsection (e) of section 581 and subsection (a) of section 585 of the act amended May 9 1957 (P L 114) are amended to read

"Section 581 Keeping of Records * * *

"(e) Other Methods * * *

"A vendor may apply to the department for permission to use a collection and recording procedure which will show such information as the law requires with reasonable accuracy and simplicity such application must contain a detailed description of the procedure to be adopted permission to use the proposed procedure is not to be construed as relieving the vendor from remitting the full amount of tax collected the department may revoke such permission upon thirty days' notice to the vendor refusal of the department to grant permission in advance to use such procedure shall not be construed to invalidate a procedure which upon examination shows such information as the law requires

"Section 585 Bonds (a) Taxpayer to file bond whenever the department in its discretion deems it necessary to protect the revenues to be obtained under the provisions of this act it may require any nonresident natural person or any foreign corporation [either] association fiduciary partnership or other entity not authorized to do business within this Commonwealth or not having an established place of business therein and subject to the tax imposed by section 201 of this act to file a bond issued by a surety company authorized to do business in this Commonwealth and approved by the insurance commissioners as to solvency and responsibility in such amounts as it may fix to secure the payment of any tax or penalties due or which may

become due from such natural person or corporation the department may also require such a bond of any person petitioning the department for reassessment in the case of any assessment over five hundred dollars (\$500) or where it is of the opinion that the ultimate collection is in jeopardy the department may for a period of three years require such a bond of any person who has on three or more occasions within a twelve month period either filed a return or made payment to the department more than thirty days late in the event that the department determines that a taxpayer is to file such a bond it shall give notice to such taxpayer to that effect specifying the amount of the bond required the taxpayer shall file such bond within five days after the giving of such notice by the department unless within such five days the taxpayer shall request in writing a hearing before the secretary of revenue or his representative at which hearing the necessity propriety and amount of the bond shall be determined by the secretary or such representative such determination shall be final and shall be complied with within fifteen days after notice thereof is mailed to the taxpayer;" page 47, by striking out after line 5, the following:

"Section 13 This act shall take effect the first day of the third calendar month following the month in which this act is finally enacted;" and inserting in lieu thereof the following:

"Section 22 The provisions of this act amending section 201 of the act shall be effective April 15, 1959 the provisions of this act amending section 581 of the act shall be effective March 6 1956 the provisions of this act imposing tax on soft drinks at the retail level shall take effect one day after final enactment all other provisions of this act shall take effect thirty days after final enactment"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 274

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 274.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 274, entitled:

"An act providing leaves of absence with pay for certain employees of the Commonwealth for the purpose of attending conventions."

Respectfully submit the following bill as our report:

G. ROBERT WATKINS,
GEO. N. WADE,
WM. VINCENT MULLIN,
(Committee on the part of the Senate).

MARTIN J. TAYLOR,
PAIGE VARNER,
WILLIAM B. CURWOOD,
(Committee on the part of the House of Representatives).

An Act providing leaves of absence with pay for certain employees of the Commonwealth for the purpose of attending conventions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any employee of the Commonwealth who is a duly elected representative of any National or State lodge or organization of policemen or firemen or of any local

lodge or group being a part of any National or State organization of policemen or firemen shall be entitled to leave of absence with pay for the time necessary to attend for a period not to exceed four days any annual National or State convention or conference of such organization including necessary time for travel to and from the same

Section 2 Any employe receiving time off with pay under the authority of this act shall upon his return submit to his immediate superior a certificate testifying to his attendance at the convention signed by at least two responsible officers of the convention

Section 3 No more than three elected representatives shall attend any such convention or conference on behalf of any such lodge organization or group under the provisions of this act

Section 4 This act shall take effect immediately.

On the question,

Will the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Anderson,	Galley,	McCormack,	Riley,
Arlene,	Gallagher,	McDonald,	Rovansek,
Balthaser,	Garlock,	McKeever,	Royer,
Barton,	Gelfand,	McLaughlin,	Sakulsky,
Bell,	George,	Machmer,	Schaaf,
Blair,	Gibb,	Magee,	Schuster,
Boles,	Goldstein,	Mahan,	Schwartz,
Bonner,	Goodrich,	Markley,	Seltzer,
Boris,	Gramlich,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Helm,	Miller, B. Z.,	Snare,
Breth,	Henzel,	Miller, H. G.,	Snider,
Burns,	Hocker,	Mills,	Stank,
Capano,	Holliday,	Monroe,	Steckel,
Cianfrani,	Holt,	Muldowney,	Stewart,
Cioffi,	Horst,	Mullen,	Stimmel,
Clarke,	Irlvis,	Munley,	Stone,
Comer,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Crossin,	Jenkins,	Murphy, P. J.,	Sullivan,
Curwood,	Jim,	Murray, H. P.,	Taylor,
Davis,	Johnson, R.,	Murray, J. J.,	Tompkins,
Dengler,	Jones, F. R.,	Murray, P. G.,	Trusio,
Dennis,	Jones, T. H. W.,	Musto,	Ujosal,
Dennison,	Jump,	Naugle,	Varallo,
Devlin,	Kamyk,	Needham,	Varnier,
Donahue,	Kee,	Nelson,	Verona,
Donaldson,	Keiser,	O'Dell,	Wall,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Down,	Kessler,	O'Donnell, J. P.	Wargo,
Edwards,	Knecht,	Odorisio,	Weldner,
Ellberg,	Kooker,	Ogilvie,	Wescott,
Eshback,	Kornick,	O'Neil,	Wheeler,
Eshleman,	Korns,	Parlante,	Williams, A.D., Jr.,
Ewing,	Kubitsky,	Pashley,	Williams, E. S.,
Farabaugh,	Lamb,	Perry, H. H.,	Willard,
Fetterolf,	Lee, A. M.,	Perry, P. E.,	Willaredt,
Filo,	Lee, K. B.,	Petrosky,	Wilt,
Fineman,	Leonard,	Polaski,	Wood,
Floyd,	Limper,	Polen,	Worley,
Flynn,	Lippincott,	Prendergast,	Wynd,
Foerster,	Lopresti,	Price,	Yatron,
Fox,	Lulgard,	Pursley,	Yetter,
Frank,	Lutty,	Reibman,	Zimmerman,
Frascella,	McCandless,	Reidenbach,	Andrews,
Fulmer,	McCann,	Renwick,	Speaker

NAYS—2

Ashton, Bowman,

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Heffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcell,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 621.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 621, entitled:

"An act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto."

Respectfully submit the following bill as our report:

FRANK KOPRIVER, JR.,
HAROLD E. FLACK,
MARTIN L. MURRAY,
(Committee on the part of the Senate).

ROBERT WHEELER, JR.,
LOUIS ROVANSEK,
WILLIAM G. BUCHANAN,
(Committee on the part of the House of Representatives)

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission to be known as the "Bituminous Mine Law Study Commission" which shall consist of seven members one of whom shall be the Secretary of Mines and Mineral Industries three of whom shall represent the bargaining agent of the soft coal mining industry and three of whom shall represent the bituminous operators The Governor shall appoint the members representing the operators from a panel of at least five names submitted by the underground bituminous coal mine operators of the Commonwealth the Governor shall appoint the members representing the bargaining agent of the soft coal mining industry from a panel of at least five names submitted by the collective bargaining agency for mine employes in the bituminous coal mines of the Commonwealth the members of the commission shall serve without compensation vacancies occurring in the membership of the commission shall be filled by appointment by the Governor in the same manner as original appointments are made

Section 2 It shall be the duty of the commission to make a complete study and investigation of the existing laws of the Commonwealth relating to underground production and mining of bituminous coal for the purpose of revising codifying and modernizing the laws to the end that miners employed in bituminous coal mines are afforded the greatest degree of protection and safety consistent with modern methods and machinery available in such industry.

Section 3 The commission shall require and secure the cooperation of the Department of Mines and Mineral Industries its engineers experts clerks stenographers and other employes as may be deemed necessary to carry out the work of the commission and all State officials who are charged with any duties and responsibilities relating to the administration and enforcement of the existing laws relating to bituminous coal mines.

Section 4 The commission shall make a report to the

Governor and to the General Assembly during the 1959 session of the General Assembly or during the next subsequent regular session of the General Assembly following the 1959 session together with a draft of such proposed legislation as it deems necessary to carry its recommendations into effect such report and proposed legislation shall be made with the concurrence of each of the seven members of the commission if unanimous concurrence cannot be achieved the commission shall make no report or recommendations to the Governor or to the General Assembly the existence of the commission shall terminate upon the making of its report or if no report is made at the final adjournment of the next subsequent regular session of the General Assembly following the 1959 session.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Ashton,	Gallagher,	McKeever,	Royer,
Balthaser,	Garlock,	McLaughlin,	Sakulsky,
Barton,	Gelfand,	Machmer,	Schaaf,
Bell,	George,	Magee,	Schuster,
Blair,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boris,	Gramlich,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heavey,	Miller, B. Z.,	Snare,
Branca,	Helm,	Miller, H. G.,	Snider,
Brenninger,	Henzel,	Mills,	Stank,
Breth,	Hocker,	Monroe,	Steckel,
Burns,	Holliday,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irviss,	Murphy, A. J., Jr.	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujober,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Wargo,
Dougherty,	Kessler,	Odlorio,	Weidner,
Down,	Knecht,	Ogilvie,	Wescott,
Edwards,	Kooker,	O'Neil,	Wheeler,
Ellberg,	Kornick,	Parlante,	Williams, A.D., Jr.,
Eshback,	Korns,	Pashley,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Wynd,
Floyd,	Lippincott,	Price,	Yatron,
Flynn,	Lopresti,	Pursley,	Yetter,
Foerster,	Luigard,	Reibman,	Zimmerman,
Fox,	Lutty,	Reidenbach,	Andrews,
Frank,	McCandless,	Renwick,	Speaker
Frascella,	McCann,		

NAYS—0

NOT VOTING—23

Agnew,	Guthrie,	Mihm,	Strausser,
Auker,	Haffner,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Rigby,	Thompson,
Buchanan,	Kovolenko,	Rudisill,	Welsh,
Capitolo,	Light,	Scarcelli,	Whittaker,
Cooper,	McInroy,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2237

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2237.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2237, entitled: "An act amending the act of June 24, 1939 (P. L. 872), entitled 'An act to consolidate, amend and revise the penal laws of the Commonwealth' clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions."

Respectfully submit the following bill as our report:

DOUGLAS H. ELLIOTT,
RAYMOND P. SHAFER,
PAUL W. MAHADY,
(Committee on the part of the Senate).

THOMAS J. MCCORMICK,
JOHN H. DEVLIN,
BEATRICE Z. MILLER,
(Committee on the part of the House of Representatives).

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" clarifying and revising the provisions relating to obscene literature and objects and fixing the penalty for violating the provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 524 act of June 24, 1939 (P. L. 872) known as "The Penal Code" amended July 17, 1957 (P. L. 972) is amended to read

Section 524 Obscene Literature etc [(a) Obscene literature consists of any writing or printed matter picture image drawing figure photograph or other pictorial representation which is unrelated to science art or scientific study and taken as a whole is indecent lewd lascivious and has the effect of inciting to lewdness or sexual crime Whoever sells lends distributes exhibits gives away or shows or offers to sell lend distribute exhibit or give away or show or has in his possession with intent to sell lend distribute or give away or to show or knowingly advertises in any manner any obscene literature or lewd lascivious filthy indecent or disgusting book magazine pamphlet newspaper storypaper paper writing drawing photograph figure or image or any written or printed matter of an indecent character or any article or instrument of indecent or immoral use or purporting to be for indecent or immoral use or purpose or whoever designs copies draws photographs prints utters publishes or in any manner manufactures or prepares any such book picture drawing magazine pamphlet newspaper storypaper paper writing figure image matter article or thing or whoever writes prints publishes or utters or causes to be printed published or uttered and advertisement or notice of any kind giving information directly or indirectly stating or purporting to do so where how of whom or by what means any or what purports to be any obscene lewd lascivious filthy disgusting or indecent book picture writing paper figure image matter article or thing named in this section can be purchased obtained or had or whoever prints utters publishes sells lends gives away or shows or has in his possession with intent to sell lend give away or show or otherwise offers for sale loan or gift or distribution any pamphlet magazine newspaper or other printed paper devoted to the publication and principally made up of criminal news police reports or accounts of criminal deeds or pictures of stories of deeds of bloodshed lust or crime or whoever hires employs uses or permits any minor or child to do or assist in doing any act or thing mentioned in this section is guilty of a felony

and upon conviction shall be sentenced to imprisonment not exceeding two (2) years or to pay a fine not exceeding two thousand dollars (\$2000) or both] Whoever sells lends distributes exhibits gives away or shows or offers to sell lend distribute exhibit or give away or show or has in his possession with intent to sell lend distribute or give away or to show or knowingly advertises in any manner any obscene literature book magazine pamphlet newspaper storypaper paper writing drawing photograph figure or image or any written or printed matter of an obscene nature or any article or instrument of an obscene nature or whoever designs copies draws photographs prints utters publishes or in any manner manufactures or prepares any such book picture drawing magazine pamphlet newspaper storypaper paper writing figure image matter article or thing or whoever writes prints publishes or utters or causes to be printed published or uttered any advertisement or notice of any kind giving information directly or indirectly stating or purporting to state where how of whom or by what means any obscene book picture writing paper figure image matter article or thing named in this section can be purchased obtained or had or whoever hires employs uses or permits any minor or child to do or assist in doing any act or thing mentioned in this section is guilty of a felony and upon conviction shall be sentenced to imprisonment not exceeding two (2) years or to pay a fine not exceeding two thousand dollars (\$2000) or both

"Obscene" as used in this section means that which to the average person applying contemporary community standards has as its dominant theme taken as a whole an appeal to prurient interest

Section 2 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovansek,
Ashton,	Gailey,	McDonald,	Royer,
Balthaser,	Gallagher,	McKeever,	Sakulsky,
Barton,	Garlock,	McLaughlin,	Schaaf,
Bell,	Gelfand,	Machmer,	Schuster,
Blair,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Hamilton,	Merry,	Snare,
Branca,	Heavey,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Mills,	Steckel,
Burns,	Hocker,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stone,
Cianfrani,	Horst,	Munley,	Stoner,
Cioffi,	Irvis,	Murphy, A. J., Jr.	Sullivan,
Clarke,	Isaacs,	Murphy, P. J.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujbal,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Weidner,
Dougherty,	Kessler,	Odoriso,	Wescott,
Down,	Knecht,	Ogilvie,	Wheeler,
Edwards,	Kooker,	O'Neil,	Williams, A.D., Jr.,
Ellberg,	Kornick,	Parlante,	Williams, E. S.,
Eshback,	Korns,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Perry, P. E.,	Wilt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wood,
Fetterolf,	Lee, K. B.,	Polaski,	Worley,
Filo,	Leonard,	Polen,	Wynd,
Fineman,	Limper,	Prendergast,	Yatron,
Floyd,	Lippincott,	Price,	Yetter,

Flynn,
Foerster,
Fox,
Frank,

Lopresti,
Luigard,
Lutty,
McCandless,

Pursley,
Reibman,
Reidenbach,
Renwick,

Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—22

Agnew,
Auker,
Brown,
Buchanan,
Cooper,
Guthrie,

Heffner,
Johnson, A. W.,
Kovolenko,
Light,
McInroy,
Mihm,

Moran,
Rigby,
Rudisill,
Scarcelll,
Stevens,

Strausser,
Stroup,
Thompson,
Welsh,
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 309.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 309, entitled:

An Act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employees

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,
JAMES S. BERGER,
BENJAMIN R. DONOLOW,
(Committee on the part of the Senate).

BLAINE C. HOCKER,
JOHN F. STANK,
ANTHONY J. PETROSKY,
(Committee on the part of the House of Representatives).

AN ACT

Relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Officers and Employees of the Senate

Section 1 The Senate shall in each odd-numbered year hereafter at the beginning of each regular biennial session of the General Assembly elect in addition to the President and President pro tempore as provided for by the Constitution the following officers who shall serve for two years or until their successors are elected and have qualified unless sooner removed by a majority vote of all of the members of the Senate during any regular biennial special or extraordinary session of the General Assembly

such officers heretofore or hereafter elected shall receive the compensation and perform the duties herein specified

(1) One Secretary at an annual salary of twelve thousand dollars (\$12,000)

(2) One Chief Clerk at an annual salary of eleven thousand five hundred dollars (\$11,500)

(3) One Senate Librarian at an annual salary of eleven thousand dollars (\$11,000)

Section 2 The following officers and employes of the Senate shall be appointed by the President of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) Two clerks to the president at an annual salary of four thousand two hundred dollars (\$4200) each

(2) One secretary to the President at an annual salary of five thousand five hundred dollars (\$5500)

(3) One administrative assistant to the President at an annual salary of six thousand five hundred dollars (\$6500)

(4) One President's page at a per diem compensation of twelve dollars (\$12)

Section 3 The following officers and employes of the Senate shall be appointed by the President pro tempore of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary to the President pro tempore at an annual salary of five thousand five hundred dollars (\$5500)

(2) Two clerks to the President pro tempore at an annual salary of four thousand two hundred dollars (\$4200) each

(3) One administrative assistant to the President pro tempore at an annual salary of six thousand five hundred dollars (\$6500)

(4) One messenger to the President pro tempore at a per diem compensation of twelve dollars (\$12)

(5) One chaplain at a per diem compensation of ten dollars (\$10)

(6) One journal clerk at a compensation of two thousand eight hundred dollars (\$2800) for each regular session plus fifteen dollars (\$15) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and fifteen dollars (\$15) per diem for each special or extraordinary session

(7) One assistant journal clerk at a compensation of two thousand seven hundred dollars (\$2700) for each regular session plus fifteen dollars (\$15) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and fifteen dollars (\$15) per diem for each special or extraordinary session

(8) One reading clerk at a compensation of three thousand two hundred dollars (\$3200) for each regular session plus fifteen dollars (\$15) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and fifteen dollars (\$15) per diem for each special or extraordinary session

(9) One message clerk at a per diem compensation of sixteen dollars (\$16)

(10) One postmaster at a per diem compensation of twelve dollars (\$12)

(11) One assistant postmaster at a per diem compensation of ten dollars (\$10)

(12) One chief sergeant at arms at an annual salary of six thousand five hundred dollars (\$6500)

(12.1) One assistant chief sergeant at arms at an annual salary of four thousand two hundred dollars (\$4200)

(12.2) One second assistant chief sergeant at arms at an annual salary of three thousand six hundred dollars (\$3600)

(13) Six sergeant at arms at a per diem compensation of ten dollars (\$10) each

(14) One chief mailing clerk at an annual salary of five thousand dollars (\$5000)

(15) Two assistant mailing clerks at a per diem compensation of ten dollars (\$10) each

(16) Forty-six stenographers each of whom shall have successfully completed the prescribed course of a four year public high school or its equivalent and as a part thereof or in addition thereto shall have successfully completed a course of not less than eight months in short-

hand and typewriting at an annual salary of three thousand six hundred sixty-six dollars (\$3666) each

(17) One chief official reporter who shall be a competent court reporter at an annual salary of eight thousand dollars (\$8000)

(18) One official reporter who shall be a competent court reporter at a per diem compensation of twenty-five dollars (\$25) and one official reporter at a per diem compensation of eighteen dollars (\$18)

(19) One expert typist at an annual salary of five thousand dollars (\$5000)

(20) Two expert typists at a per diem compensation of eighteen dollars (\$18) each

(21) Two copy holders at a per diem compensation of ten dollars (\$10) each

(22) Two proofreaders at a per diem compensation of ten dollars (\$10) each

(23) Three transcribing clerks at a per diem compensation of ten dollars (\$10) each

(24) One legislative research clerk at an annual salary of eight thousand dollars (\$8000)

(25) One executive clerk at a compensation of two thousand seven hundred dollars (\$2700) for each regular session plus fifteen dollars (\$15) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and fifteen dollars (\$15) per diem for each special extraordinary session

(26) One chief messenger at a per diem compensation of ten dollars (\$10)

(27) Ten messengers at a per diem compensation of eight dollars (\$8) each

(28) One day watchman at an annual salary of three thousand six hundred dollars (\$3600)

(29) One night watchman at an annual salary of three thousand six hundred dollars (\$3600)

(30) One chief custodian of the Senate chamber at an annual salary of five thousand five hundred dollars (\$5500)

(31) One chief assistant custodian at an annual salary of three thousand eight hundred dollars (\$3800)

(32) Three custodians of the Senate chamber at an annual salary of three thousand three hundred dollars (\$3300) each

(33) One custodian of the Senate basement at an annual salary of two thousand seven hundred dollars (\$2700)

(34) One superintendent of the storeroom at an annual salary of five thousand dollars (\$5000)

(35) One Senate indexing clerk at an annual salary of four thousand five hundred dollars (\$4500)

(36) One address system operator at a per diem compensation of twelve dollars (\$12)

(37) Six clerks to committees at an annual salary of three thousand six hundred dollars (\$3600) each

Section 4 The following employes of the Senate shall be appointed by the Secretary of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One assistant secretary of the Senate at an annual salary of eight thousand five hundred dollars (\$8500)

(2) One secretary at an annual salary of five thousand dollars (\$5000)

(3) One stenographer to the secretary of the Senate at an annual salary of four thousand five hundred dollars (\$4500)

(4) One history clerk at a per diem compensation of eleven dollars (\$11)

(5) One messenger to the Secretary of the Senate at an annual salary of three thousand six hundred dollars (\$3600)

Section 5 The following employes of the Senate shall be appointed by the Chief Clerk of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One assistant chief clerk at an annual salary of seven thousand five hundred dollars (\$7500)

(2) One secretary at an annual salary of five thousand dollars (\$5000)

(3) One stenographer at an annual salary of four thousand five hundred dollars (\$4500)

Section 6 The following employes of the Senate shall be appointed by the Senate Librarian to serve at his

pleasure and receive the compensation and perform the duties herein specified

(1) One library clerk at an annual salary of five thousand five hundred dollars (\$5500)

(2) One secretary to the Senate Librarian at an annual salary of four thousand five hundred (\$4500)

(3) One stenographer at an annual salary of four thousand five hundred dollars (\$4500)

(4) One stenographer at an annual salary of four thousand two hundred dollars (\$4200)

(5) One messenger to the Senate Librarian at an annual salary of three thousand three hundred dollars (\$3300)

Section 7 The following employees of the Senate shall be appointed by the Majority Leader of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified.

(1) One secretary to the Majority Leader at an annual salary of five thousand five hundred dollars (\$5500)

(2) One assistant secretary at an annual salary of three thousand six hundred dollars (\$3600)

(3) One administrative assistant to the Majority Leader at an annual salary of six thousand five hundred dollars (\$6500)

(4) One legislative clerk to the Majority Leader at an annual salary of three thousand six hundred dollars (\$3600)

Section 8 The following employees of the Senate shall be appointed by the Minority Leader of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary to the Minority Leader at an annual salary of five thousand five hundred dollars (\$5500)

(2) One assistant secretary at an annual salary of three thousand six hundred dollars (\$3600)

(3) One administrative assistant to the Minority Leader at an annual salary of six thousand five hundred dollars (\$6500)

(4) One legislative clerk to the Minority Leader at an annual salary of three thousand six hundred dollars (\$3600)

Section 9 The following employee of the Senate shall be appointed by the Majority Whip of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One clerk at an annual salary of four thousand five hundred dollars (\$4500)

Section 10 The following employee of the Senate shall be appointed by the Minority Whip of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One clerk at an annual salary of four thousand five hundred dollars (\$4500)

Section 11 The following employee of the Senate shall be appointed by the Majority Caucus Chairman of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One clerk at an annual salary of four thousand five hundred dollars (\$4500)

Section 12 The following employee of the Senate shall be appointed by the Minority Caucus Chairman of the Senate who for the purpose of this act shall be deemed an officer of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One clerk at an annual salary of four thousand five hundred dollars (\$4500)

Section 13 The President pro tempore of the Senate elected for the session of 1959 in addition to his salary as a member of the General Assembly shall receive one thousand dollars (\$1000) for each regular biennial session and five hundred dollars (\$500) for each special or extraordinary session There after the President pro tempore of Senate in addition to his salary as a member of the

General Assembly shall receive nine thousand dollars (\$9000) for each regular session and one thousand dollars (\$1000) for each special or extraordinary session

Section 14 All employees appointed by the President pro tempore shall be under the direction and control of the President pro tempore who shall assign them to such duties as are usually performed in the positions to which they have been respectively elected or appointed The President pro tempore may transfer any of such employees appointed by him from one position to another position in order best to bring about efficiency and a more equal distribution of the work of the Senate All other employees of the Senate shall be under the direction and control of the officer by which they were appointed

Article II

Officers and Employees of the House of Representatives

Section 21 The House of Representatives shall in each odd-numbered year hereafter at the beginning of each regular biennial session of the General Assembly elect in addition to the Speaker as provided for by the Constitution the following officers and employees who shall serve for two years or until their successors are elected and have qualified unless sooner removed by a majority vote of all of the members of the House of Representatives during any regular biennial special or extraordinary session of the General Assembly Such officers and employees heretofore or hereafter elected shall receive the compensation and perform the duties herein specified

(1) One Chief Clerk at an annual salary of twelve thousand dollars (\$12,000)

(2) One Secretary at an annual salary of eleven thousand five hundred dollars (\$11,500) who shall perform the duties formerly performed by the resident clerk and assistant resident clerk of the House of Representatives

(3) One chaplain at a per diem compensation of ten dollars (\$10)

(4) One journal clerk at a compensation of two thousand nine hundred thirty dollars (\$2930) for each regular session plus fourteen dollars (\$14) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and fourteen dollars (\$14) per diem for each special or extraordinary session

(5) One assistant journal clerk at a compensation of two thousand seven hundred ten dollars (\$2710) for each regular session plus thirteen dollars (\$13) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and thirteen dollars (\$13) per diem for each special or extraordinary session

(6) Two reading clerks at a compensation of three thousand two hundred five dollars (\$3205) each for each regular session plus thirteen dollars (\$13) for each day following the fifteenth day of June and fifteen dollars and fifty cents (\$15.50) each per diem for each special or extraordinary session

(7) One message clerk at a per diem compensation of seventeen dollars (\$17)

(8) One assistant message clerk at a per diem compensation of thirteen dollars (\$13)

(9) One chief postmaster who shall receive an annual salary of four thousand three hundred ninety-six dollars (\$4396)

(10) Three assistant postmasters who shall receive a per diem compensation of ten dollars (\$10) each

(11) One chief sergeant at arms at a per diem compensation of twelve dollars (\$12)

(12) Fifteen sergeants at arms at a per diem compensation of ten dollars (\$10) each

(13) One chief document clerk at a per diem compensation of twelve dollars (\$12)

(14) Fifteen document clerks at a per diem compensation of ten dollars (\$10) each

(15) One bill numbering clerk at a per diem compensation of twelve dollars (\$12)

(16) One chief mailing clerk at a per diem compensation of fourteen dollars (\$14)

(17) Ten mailing clerks at a per diem compensation of ten dollars (\$10) each

(18) Twenty-five stenographers each of whom shall have successfully completed the prescribed course of a four year public high school or its equivalent and as a part thereof or in addition thereto shall have successfully completed a course of not less than eight months in shorthand and typewriting at a per diem compensation of twelve dollars (\$12) each

(19) One chief telephone attendant at a per diem compensation of twelve dollars (\$12) Three telephone attendants at a per diem compensation of ten dollars (\$10) each

(20) One chief page at a per diem compensation of ten dollars (\$10)

(21) Twenty pages at a per diem compensation of seven dollars (\$7) each

Section 22 The following officers and employes of the House of Representatives shall be appointed by the Speaker to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One parliamentarian at an annual salary of eleven thousand dollars (\$11,000)

(2) One administrative assistant I at an annual salary of six thousand five hundred dollars (\$6500)

(3) One administrative assistant II for the parliamentarian at an annual salary of six thousand dollars (\$6000)

(4) One secretary at an annual salary of five thousand one hundred dollars (\$5100)

(5) One assistant secretary at an annual salary of four thousand five hundred dollars (\$4500)

(6) One Speaker's legislative clerk at an annual salary of five thousand dollars (\$5000)

(7) One clerk messenger at an annual salary of three thousand six hundred sixty-six dollars (\$3666)

Section 23 The following employes of the House of Representatives shall be appointed by the Chief Clerk to serve at his pleasure and receive the compensation and perform the duties here specified

(1) One assistant to the Chief Clerk at an annual salary of seven thousand dollars (\$7000)

(2) One executive secretary to the Chief Clerk at an annual salary of six thousand dollars (\$6000)

(3) One secretary to the Chief Clerk at an annual salary of five thousand five hundred dollars (\$5500)

(4) One assistant secretary to the Chief Clerk at an annual salary of four thousand five hundred dollars (\$4500)

(5) One messenger to the Chief Clerk at an annual salary of three thousand six hundred sixty-six dollars (\$3666)

(6) One amendment clerk at an annual salary of five thousand dollars (\$5000)

(7) One assistant amendment clerk at a per diem compensation of fourteen dollars (\$14)

(8) One superintendent of the storeroom at an annual salary of five thousand dollars (\$5000)

(9) One assistant superintendent at an annual salary of four thousand four hundred dollars (\$4400)

(10) One chief official reporter who shall be a competent court reporter at a per diem compensation of twenty-five dollars (\$25)

(11) One assistant to the chief official reporter who shall be a competent stenographer and an expert typist at a per diem compensation of twenty dollars (\$20)

(12) Four official reporters each of whom shall be a competent court reporter at a per diem compensation of twenty-four dollars (\$24) each

(13) Eight expert typists at a per diem compensation of eighteen dollars (\$18) each

(14) One compiling clerk at an annual salary of six thousand dollars (\$6000)

(15) One assistant compiling clerk at an annual salary of four thousand five hundred dollars (\$4500)

(16) One address system operator at a per diem compensation of twelve dollars (\$12)

(17) One assistant address system operator at a per diem compensation of ten dollars (\$10)

(18) One finance clerk at an annual salary of seven thousand dollars (\$7000)

(19) One assistant finance clerk at an annual salary of four thousand five hundred dollars (\$4500)

(20) One supervising stenographer at a per diem com-

pensation of seventeen dollars (\$17) for each regular biennial special or extraordinary session and four hundred fifty dollars (\$450) per month during the interim between legislative sessions

(21) Ten stenographers each of whom shall have successfully completed the prescribed course of a four year public high school or its equivalent and as a part thereof or in addition thereto shall have successfully completed a course of not less than eight months in shorthand and typewriting at a per diem compensation of twelve dollars (\$12) each and eight stenographers having the same qualifications as above at an annual salary of four thousand five hundred dollars (\$4500) each

(22) One history clerk at a per diem compensation of seventeen dollars (\$17)

(23) One history index clerk at a per diem compensation of twelve dollars (\$12)

(24) One day watchman at an annual salary of three thousand six hundred sixty-six dollars (\$3666)

(25) One night watchman at an annual salary of three thousand six hundred sixty-six dollars (\$3666)

(26) One chief custodian of the hall of the House at an annual salary of four thousand dollars (\$4000)

(27) Four custodians at an annual salary of three thousand six hundred sixty-six dollars (\$3666) each

(28) Two copy holders at a per diem compensation of ten dollars (\$10) each

(29) Two proof readers at a per diem compensation of ten dollars (\$10) each

(30) One library clerk at an annual salary of four thousand eight hundred dollars (\$4800)

(31) Two caucus clerks one for the majority and one for the minority at a per diem compensation of seventeen dollars (\$17) each

(32) One Legislative Journal index clerk at an annual salary of four thousand two hundred dollars (\$4200)

(33) Seven clerk typists at an annual salary of three thousand six hundred dollars (\$3600) each

Section 24 The following employes of the House of Representatives shall be appointed by the Secretary of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One administrative assistant II at an annual salary of six thousand dollars (\$6000)

(2) One secretary at an annual salary of five thousand five hundred dollars (\$5500)

(3) One stenographer at an annual salary of four thousand four hundred dollars (\$4400)

(4) One clerk at an annual salary of four thousand four hundred dollars (\$4400)

Section 25 The following employes of the House of Representatives shall be appointed by the Majority Leader who for the purposes of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of five thousand five hundred dollars (\$5500)

(2) One administrative assistant I at an annual salary of six thousand five hundred dollars (\$6500)

(3) One assistant secretary at an annual salary of four thousand five hundred dollars (\$4500)

(4) One legislative clerk at a per diem compensation of seventeen dollars (\$17)

Section 26 The following employes of the House of Representatives shall be appointed by the Minority Leader who for the purposes of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of five thousand five hundred dollars (\$5500)

(2) One administrative assistant I at an annual salary of six thousand five hundred dollars (\$6500)

(3) One assistant secretary at an annual salary of four thousand five hundred dollars (\$4500)

(4) One legislative clerk at a per diem compensation of seventeen dollars (\$17)

(5) One budget analyst at an annual salary of six thousand five hundred dollars (\$6500)

Section 27 The following employe of the House of Representatives shall be appointed by the Majority Whip of the House of Representatives who for the purpose of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of four thousand five hundred dollars (\$4500)

Section 28 The following employe of the House of Representatives shall be appointed by the Minority Whip of the House of Representatives who for the purpose of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of four thousand five hundred dollars (\$4500)

Section 29 The following employe of the House of Representatives shall be appointed by the Majority Caucus Chairman of the House of Representatives who for the purpose of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of four thousand five hundred dollars (\$4500)

Section 30 The following employe of the House of Representatives shall be appointed by the Minority Caucus Chairman of the House of Representatives who for the purpose of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of four thousand five hundred dollars (\$4500)

Section 31 The Speaker of the House of Representatives elected for the session of 1959 in addition to his salary as a member of the General Assembly shall receive one thousand dollars (\$1000) for each regular biennial session and five hundred dollars (\$500) for each special or extraordinary session Thereafter the Speaker of the House of Representatives in addition to his salary as a member of the General Assembly shall receive nine thousand dollars (\$9000) for each regular session and one thousand dollars (\$1000) for each special or extraordinary session

Section 32 All employes elected by the House of Representatives and all employes appointed by the Chief Clerk shall be under the direction and control of the Chief Clerk who shall assign them to such duties as are usually performed in the positions to which they have been respectively elected or appointed The Chief Clerk may transfer any of such employes whether elected by the House or appointed by him from one position to any other position in order best to bring about efficiency and a more equal distribution of the work of the House All other employes of the House of Representatives shall be under the direction and control of the officer by whom they were appointed

Article III

Provisions Applicable to both Senate and House of Representatives

Section 41 (a) When found necessary better to facilitate the work of the Senate or of the House of Representatives the President pro tempore of the Senate or the Chief Clerk of the House of Representatives as the case may be may each employ at a per diem compensation of ten dollars (\$10) each not exceeding three additional stenographers and not exceeding three additional clerks as may be required

(b) The officers and employes of the Senate and of the House of Representatives authorized by this act shall be severally sworn before entering upon their duties All officers and employes who are paid annual salaries shall be in attendance at all times the General Assembly is in session and shall be available for the performance of the work of the General Assembly at all other times

(c) All officers and employes who are paid a specified sum for each regular biennial session and a per diem rate of pay for each special or extraordinary session shall be in attendance at all times the General Assembly is convened in regular biennial session and as the special or

extraordinary sessions shall be subject to call in the same way as other per diem employes

(d) All per diem employes shall be in attendance at all times the General Assembly is in regular biennial session and shall be paid only for the number of days beginning with the day such employe was sworn and actually entered upon the duties of his employment until the last day of the regular biennial session for which he was elected or appointed The President pro tempore of the Senate as to the per diem employes of the Senate and the Chief Clerk of the House of Representatives as to per diem employes of the House may in writing direct any per diem employe of the Senate or of the House of Representatives as the case may be to report for duty at any other time in which event such employe shall be paid for the number of days beginning with the day on which he actually reports for duty and ending with the day on which his services terminate

(e) All compensation payable to officers and employes under the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the Chief Clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employe shall be

Section 42 The Secretary of the Senate and the Chief Clerk of the House of Representatives acting jointly shall appoint one legislative printing clerk at an annual salary of six thousand dollars (\$6000) who shall serve until his successor is appointed and qualified and whose duty it shall be to order upon proper requisition all printing required by the Legislature and to deliver such printing to the Legislature as it is needed Such printing shall be performed under contract to be given to the lowest responsible bidder and the Secretary of the Senate for Senate printing and the Chief Clerk of the House of Representatives for House of Representatives printing shall have the power to enter into such contracts directly without the intervention of any State department or agency subject however to the approval of the Governor Auditor General and State Treasurer

Section 43 Each of the officers and employes authorized by this act shall be entitled to mileage for one round trip each regular biennial special or extraordinary session of the Legislature for which he has been elected or appointed and at which he is required by this act to be in attendance at the rate of ten cents (10c) per mile to and from their homes to be computed by the ordinary mail route between their homes and the State Capitol

Section 44 All vacancies that may occur or exist by death resignation or otherwise of any of the officers or employes provided for by this act during any regular biennial special or extraordinary session of the Legislature shall be filled by election or appointment as provided for in this act If any vacancy shall occur during the recess of the Legislature in the Office of President pro tempore of the Senate or of the Speaker of the House of Representatives the duties of said office shall be performed by the Majority Leader of the Senate or of the House of Representatives as the case may be

All other vacancies that may occur during the recess among the elective officers or employes of the Senate or of the House of Representatives shall be filled by appointment by the President pro tempore of the Senate or by the Speaker of the House of Representatives until the next regular biennial special or extraordinary session of the Legislature Vacancies occurring at any time among appointive officers and employes shall be filled by the respective officers authorized to appoint said officers or employes

Section 45 All offices and positions of employment in both the Senate and the House of Representatives heretofore provided for by law and for which no provision is made by this act are hereby abolished

Section 46 No appropriation heretofore made to pay the salary or per diem compensation of any officer or employe of the Senate or of the House of Representatives whose office or employment is abolished by this act shall lapse by reason thereof but all sums so appropriated are hereby re-appropriated to the Senate or to the House of Repre-

sentatives as the case may be for the purpose of paying the salaries and per diem or other compensation provided for by this act

Section 47 The Director of the Legislative Reference Bureau shall receive an annual salary of fifteen thousand dollars (\$15,000)

Section 48 There shall be compiled annually on or prior to the first day of February of each year a complete list of employees of the Senate and of the House of Representatives

The Chief Clerk of the Senate shall be responsible for compilation of the list of employees of the Senate required by this section and shall mail a copy of the list to each member of the General Assembly He shall post a copy of the list in his office for a period of thirty days after the date of compilation

The Chief Clerk of the House of Representatives shall be responsible for compilation of the list of employees of the House of Representatives required by this section and shall mail a copy of the list to each member of the General Assembly He shall post a copy of the list in his office for a period of thirty days after the date of compilation

Article IV

Repeals and Effective Dates

Section 61 The following acts and parts of acts and their amendments are hereby repealed absolutely

(1) The act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" and its amendments are repealed in so far as they are inconsistent herewith

(2) Sections 2406 2409 and 2410 of the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" are repealed in so far as they are inconsistent herewith

(3) All other acts or parts of acts are repealed in so far as they are inconsistent herewith

Section 62 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. GOLDSTEIN. Mr. Speaker, we are now waiting very anxiously for the results of a momentous struggle between the two Parties of this state as to our budgetary needs. We all recognize that both sides are sincerely trying to resolve that problem of money.

Today, in the other House, we have partisan arguments but in connection with Senate Bill No. 309, the approval of this feather-bedded legislation seems to have bi-partisan support. I have been assured by the ever vigilant and sincere Chairman of the Committee on Appropriations, Dean Polen, that the cost of Senate Bill 309 to the taxpayers of this Commonwealth will be approximately one-half million dollars. We think and we repeat what we stated before, when we are struggling with the problems of public instruction, with the problems of mental welfare, and with the problems of public assistance, we could postpone the passage of this bill.

Therefore, we ask you in a bi-partisan attitude of sympathy for the taxpayer to vote against Senate Bill 309.

Mr. McCORMACK. Mr. Speaker, I would like to find out just what changes were made by the Conference Committee. In looking over the bill I have been unable to ascertain what the changes, if any, were. Is there anyone here who can tell me?

Mr. PETROSKY. Mr. Speaker, there is a distinct differential between Senate Bill No. 309, Printer's No. 991

as it originally passed the House, and the Committee of Conference Report on Senate Bill 309, Printer's No. 1496.

The Committee worked hard and diligently on this matter and we find, of course, that we eliminated some of the jobs that temporarily we know the House can do without, but there is an addition from the operation of the present law. We have authority for 183 employees in the House of Representatives.

Mr. McCORMACK. What page is that, Mr. Speaker?

Mr. PETROSKY. That is not on any page, That is the authorization under present law, 147 per diem employees and 37 salaried employees, making a total of 183. By Conference Report on Senate Bill 309 there would be an additional 22 employees in the House of Representatives and, of course, these are not all under the Chief Clerk. They are employees that were placed on the staffs of the various offices of the House, both in the Majority and the Minority in order to facilitate the business of those offices.

Mr. McCORMACK. Is there any truth to the statement that was made by a Member that the secretary to the Chief Clerk was cut in her salary?

Mr. PETROSKY. Is the gentleman referring to Senate Bill 309, Printer's No. 991, and the current Conference Report?

Mr. McCORMACK. Yes, sir.

Mr. PETROSKY. That is correct.

Mr. McCORMACK. And to what was that reduced?

Mr. PETROSKY. From \$6,500 to \$6,000.

Mr. McCORMACK. What page is that on?

Mr. PETROSKY. That is on page 19, Mr. Speaker, line 16, section 23, subsection 2.

Mr. McCORMACK. From \$6,500 to \$6,000?

Mr. PETROSKY. That is correct.

Mr. McCORMACK. Was there any change made in the compensation of the Speaker of House and the President of the Senate pro tempore?

Mr. PETROSKY. There was none made between Printer's No. 991 and the Conference Committee report, Printer's No. 1496.

Mr. McCORMACK. Is there an increase in compensation as a result of this Conference Committee Report for the leader of the Senate and the Speaker of the House?

Mr. PETROSKY. Not for the present serving officers. For the next elected officers, that is correct.

Mr. McCORMACK. I refer you to page 14, section 13, line 5, would you refer to that?

Mr. PETROSKY. Yes.

Mr. McCORMACK. The President pro tempore of the Senate elected for the Session of 1959, in addition to his salary as a Member of the General Assembly, shall receive \$1,000 for each regular session; is that the present law?

Mr. PETROSKY. That is. That is the present law, Mr. Speaker.

Mr. McCORMACK. Then on line 9, "Thereafter the President pro tempore of Senate in addition to his salary as a member of the General Assembly shall receive nine thousand dollars for each regular session and one thousand dollars for each special or extraordinary session." Is that the present law?

Mr. PETROSKY. No sir, that is the same as was present in the passage of Senate Bill 309, Printer's No. 991, here in the House of Representatives. There has been no change

there and this applies, of course, to the next regular session of the General Assembly.

Mr. McCORMACK. It applies to this one too, does it not?

Mr. PETROSKY. It does not.

The SPEAKER. The Chair desires to state that under this law, neither the President pro tempore of the Senate nor the present Speaker of the House receives any increase in salary or in any other emolument.

Mr. McCORMACK. Very well.

Mr. PETROSKY. I thought I made that clear. Maybe people do not want to understand me, I do not know.

Mr. McCORMACK. Well, you are a little difficult to understand.

Mr. PETROSKY. Well, evidently it is the lawyer in you that confuses me.

Mr. McCORMACK. Mr. Speaker, I would like at this time to raise the question that this bill is unconstitutional in that it contravenes Article 2, Section 8, of the Constitution with respect to the salary and compensation of Members of the General Assembly, and I ask a ruling from the Speaker on that.

The SPEAKER. As the gentleman from Philadelphia well knows from his diligent study of the Rules, the Speaker is not permitted to rule on a Constitutional question.

Mr. McCORMACK. Well then, Mr. Speaker, I would like to raise the question and have it decided by the House, that this bill is unconstitutional because it violates that Section of the Constitution.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Schwartz, rise?

Mr. SCHWARTZ. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCHWARTZ. The gentleman raises the question of constitutionality. I do not believe he can raise the constitutionality as to a vote on a Conference Committee Report. We are not voting on the measure itself at the present time. We are voting only on the Report of the Committee, and I do not think there is any constitutional question involved as to whether or not we favor or disfavor the Conference Committee's Report.

The SPEAKER. The Chair would rule and, because of the precedence created by the rulings, it is incumbent upon the Chair to be courageous.

Any Member who proceeds in proper fashion can raise a question as to constitutionality of any pending measure before the House. There is no such question before the House at the present time.

Mr. GOLDSTEIN. I rise for the purpose of requesting the gentleman from Westmoreland and to inquire whether he will consent to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia yield?

Mr. McCORMACK. Yes, Mr. Speaker, I will.

Mr. GOLDSTEIN. Mr. Speaker, what are the total number of employes of the House of Representatives under the present law today?

Mr. PETROSKY. 183, Mr. Speaker.

Mr. GOLDSTEIN. What will be the total number of

employes, under Conference bill relating to Senate Bill 309, for the House of Representatives?

Mr. PETROSKY. 205, Mr. Speaker.

Mr. GOLDSTEIN. What are the total number of employes of the Senate today?

Mr. PETROSKY. Mr. Speaker, I do not have a complete breakdown of the total number of employes in the Senate.

Mr. GOLDSTEIN. What is the total number of employes contemplated under Senate Bill 309?

Mr. PETROSKY. Mr. Speaker, there has been an addition of several employes in the Senate version of 309. I have not had sufficient time to strike totals; however, if the gentleman has them from the bill that is before us, I will accept his figures.

Mr. GOLDSTEIN. No, Mr. Speaker, I am trying to get some information. The reason I am trying to get information is because I have been assured by the Chairman of the Committee on Appropriations that the additional cost of this bill is approximately a half million dollars. I want to know how many additional employes are provided for, additional employes.

Mr. PETROSKY. Additional employes in the Senate was 17.

Mr. GOLDSTEIN. And for the House, 22?

Mr. PETROSKY. Twenty-two, plus one that would be selected jointly by the House and the Senate which would be a printing clerk to serve the Members of the House and the Senate.

Mr. GOLDSTEIN. Did the Conference Committee discuss the total additional cost to the Commonwealth of Senate Bill 309, as now presented to us?

Mr. PETROSKY. Yes. We have compiled the figures and again I want to say to the gentleman that these figures—incidentally, the gentleman knows that I received a copy of the bill this morning—the cost to the Commonwealth for the current biennium, and, incidentally, I want to say this, that it provided if the people vote the annual sessions in, this is the total cost including the possibility of having a session next year. The cost would be \$197,592 for the House, and \$115,653 for the Senate.

Mr. GOLDSTEIN. In other words, Mr. Speaker, your calculation is that the additional cost is approximately \$325,000?

Mr. PETROSKY. Yes, approximately that, Mr. Speaker.

Mr. GOLDSTEIN. Thank you. That is all.

The SPEAKER. The Chair was about to recognize the gentleman from Cambria who has been standing for some time. Will the gentleman from Philadelphia yield?

Mr. McCORMACK. Would the gentleman care to wait until after I do it or would you like me to yield now. I would be glad to yield, sir.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

POINT OF ORDER

Mr. McCORMACK. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, my point of order is, the bill is unconstitutional in that it violates Article II, Section 8, of the Pennsylvania Constitution. That article specifically reads as follows:

The Members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no

other compensation whatever whether for service upon committee or otherwise.

That is sufficient of that Section for my purposes. I say that it is unconstitutional because the language of this bill clearly says, and I quote from page 14, Section 13, line 5, "The President Pro Tempore of the Senate elected for the Session of 1959 in addition to his salary shall receive" a certain amount of money. Now, "in addition to his salary" clearly implies that he is receiving something other than his salary, and inasmuch as the language of the Constitution is quite specific, I say that this directly contravenes that Article and Section, and I therefore ask the House to declare this bill in its present language unconstitutional.

The SPEAKER. The gentleman from Philadelphia raises the point of order that Senate Bill 309 violates Article II, Section 8, of the Constitution.

Mr. McCORMACK. I would like to move, if a motion is necessary, that the House decide that issue, Mr. Speaker.

The SPEAKER. The procedure when a question of constitutionality is raised is necessarily referred to the House.

The House can either decide the question before it by a voice vote or it can decide it by a roll call vote, and a majority determines the issue, provided there is a quorum in the Hall of the House.

On the question,

Will the House sustain the Constitutional point of order?

Will the gentleman from Westmoreland yield to the gentleman from Philadelphia, Mr. Schwartz?

Mr. PETROSKY. I so yield, Mr. Speaker.

Mr. SCHWARTZ. Mr. Speaker, am I in order at this time to speak on the motion?

The SPEAKER. The gentleman certainly is. The issue can be referred to the House directly for consideration without debate, or any Member of the House is privileged to debate the issue.

Mr. SCHWARTZ. I believe the gentleman from Philadelphia is referring to Section 13, page 14, of the bill. The way I read that section and as I understand from previous debate, this section will not increase the salary or emoluments of office of either the present Speaker of the House or the present President pro tem of the Senate. There is a word in this section on line 9, the word is "thereafter." I believe it is eminently clear, if you read this section, that the "thereafter" refers to coming sessions of this Legislature. It is very, very clear. The Speaker and the President pro tem receive exactly in 1959 what they are entitled to receive by law currently. It will be for succeeding sessions that this additional sum will be paid if this law is passed as the Conference Committee has reported today.

The SPEAKER. That is the understanding of the Chair, who would be the beneficiary of legislation relating to the salary paid the Chair. The Chair desires to refer the point of order to the House. The Chair assures the gentleman that we have been advised from all possible sources that both the Chair here in the House and the President pro tempore of the Senate refused to sanction any proposal that would increase their compensation.

Mr. PETROSKY. I believe the gentleman from Philadelphia, Mr. McCormack, will take my word for it when I say to him that it is the wording in the present law under which we are operating, and there are no additional emoluments contained in this legislation. Therefore, there

is no violation of the Constitution, and I would like if the gentleman could see his way clear to withdraw a vote on the question.

Mr. McCORMACK. Apparently, I am not using the right language, because I am not getting across to at least two Members.

My point is not that the salary is being increased for the present officers of the House and Senate. That is not my point. The bill is clear, and I am referring to line 9, "thereafter the President pro tempore in addition to his salary as a Member shall receive \$9,000." Now, if it is in addition to his salary, it is something other than a salary. I do not know if it is a bonus. I just do not know how to classify it, but it is something in addition to his salary.

The SPEAKER. Might the Chair observe that this House could legislate concerning future salaries, but it cannot raise the present salaries.

Mr. McCANN. Mr. Speaker, Senate Bill 309, Printer's No. 1496, the Conference Committee Report, is also being readied to be considered in the Senate.

The position of Senator Robert Fleming is in writing, that there is no violation of any constitutional requirements in the changes of this bill and I would like to bring to the attention of the gentleman from Philadelphia, Mr. McCormack, and to the Members of this House, that the present Speaker and President pro tempore are now authorized by law to receive \$1,000 in addition to their salaries as Representative and Senator. That is the law now. That is the same thing that is in this bill.

I want to correct one statement. If the people of Pennsylvania would vote for a session, an annual session, the present Speaker of this House, and the President pro tempore of the Senate would not in any way be eligible for any money other than now allowed by law, \$1,000, but in the next annual session, when this House would re-elect or elect a new Speaker, or re-elect or elect a new President pro tempore of the Senate, and this were law, they would then receive not \$1,000, but \$9,000 in addition to the salary. This is in no violation of any Constitution, no violation of any law which now exists, and it is as clear as the daylight is today.

Mr. McCORMACK. Mr. Speaker, may I interrogate the Majority Leader?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I certainly shall, Mr. Speaker.

Mr. McCORMACK. Is there anything in the Pennsylvania Constitution that gives the Speaker of the House or the Senate President pro tempore the right to receive salary or compensation other than mileage in addition to his salary as a Member?

Mr. McCANN. It is there, right in the words that you read, as allowed by law; clear as a bell, no question about it, and that is exactly what this is, law. If you will read it again, you will find it there.

Mr. McCORMACK. I still do not understand your statement inasmuch as this bill clearly says that in addition to his salary he shall receive the following money. You know today, in addition to our salary, we receive compensation. Is it not a fact that this is similar, if not identical, to that which gives us in addition to our salary, compensation for expenses?

Mr. McCANN. No, it is not. There is not any Member of this House, except the Speaker of this House, who is

authorized by law to receive anything in addition to his salary. That is now the law, and he received \$1,000. The same law is written clearly applying to the President pro tempore of the Senate. No other Member of this House, Floor Leaders, Whips, Caucus Chairmen, Secretaries, Committee Chairmen, or any other Member of this House receive any other salary authorized by law, only compensation for expenses.

Mr. McCORMACK. Mr. Speaker, did the gentleman say in effect that the present provision of the law as spelled out on page 14, line 5 to 8, is constitutional?

Mr. McCANN. I am saying that. It is constitutional and the Department of Justice has so written it to Senator Robert Fleming. I am sorry I did not get a copy of the letter to bring up here, but I certainly can get it.

Mr. McCORMACK. Well, would you hold this bill over until you can get it?

Mr. McCANN. I will not hold it over for that purpose. It is as clear as a bell and everyone knows that this is now law, I am not sure for how many years, but at least for twenty.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman further?

The SPEAKER. If he will consent to be interrogated further.

Mr. McCANN. I shall, Mr. Speaker.

Mr. McCORMACK. Is this bill so urgent that it has to be passed today?

Mr. McCANN. Of course, Mr. Speaker, we are debating on the constitutional question which the gentleman from Philadelphia raised, but if this is beside the question, I would just like to have a few moments of this House, if I may.

The SPEAKER. The Majority Leader desires to address the House. Will the House give its unanimous consent? The Chair hears no objection.

Will the gentleman from Philadelphia yield to the Majority Leader?

Mr. McCORMACK. Yes, Mr. Speaker.

Mr. McCANN. I think it is fair to say that every one in this House knows that not a single Member of this House receives anything under this bill.

I think it is fair at this time to speak for the employees of this House. I think a great number of you people have been in my own office, that to which my party elected me as a floor leader. I think you know the girls who work in my office personally, and know the hours they work. Do you know how many hours they work and how many days they work? Do you know what they get paid? Suppose I were to tell you they work on Saturday, and they do. One even comes in on Sunday, because we work every Sunday night from seven to midnight or 1 A. M. Now what does this bill do for anybody but these employees? This was first agreed to back in April. Then May, then June, then July, August, September, and now we are hoping for October, because these few employees who are per diem employees of this House would receive a small benefit for the short remaining period of time, because they are all dismissed from this House following the end of the Session.

I can only plead the urgency this way. Those people who work for me in my office, I am ashamed to say to you the hours they work and the amount of money they work for. I pay my own secretary at home the equivalent

or more than what the Commonwealth pays my Administrative Assistant on the house she works. If you think that is what you are doing for someone, then, my friends, you need to think again that these are human beings too who have loyalty to that which they serve. I work these girls, not that I am proud of it, because I have to on the schedule we maintain, and I know that I have worked these girls as high as 70 and 80 hours a week. There are other people who are Representatives now in this House who have served in that capacity and can speak of the work there. The typists who transcribe diligently the hundreds of discs that I dictate as I travel to and from the Capitol here and they send all the memos to you Members, both Republican and Democrat, to try to keep track of this legislation so that we at least make some sense in what we do.

I am absolutely lost without that help. They are the ones who do it. I only issue the orders and try to tell them what to do. For those I ask this salary increase and I urge it. The urgency is here today, has been for a long time and it certainly should have been done a good many months ago. I would be ashamed if it does not pass today and go to the Governor's desk so that it could be signed and at least give them a break for part of the time.

Mr. SCHWARTZ. I rise to continue the debate, Mr. Speaker, on the question of constitutionality and to make a very short comment which may reveal to the gentleman from Philadelphia something he wishes to consider in connection with the debate.

The SPEAKER. The gentleman is in order. It is a question of whether the gentleman from Philadelphia, Mr. McCormack, still has the floor or not.

Mr. McCORMACK. Mr. Speaker, I still have the floor but I have to depend on him to get me to Harrisburg, so I yield.

Mr. SCHWARTZ. Well, Mr. Speaker, I am sorry he made that statement because I do not like to bring to the gentleman's attention the fact that he has been wrong on previous occasions.

What I would like to bring to his attention is the heading in the Constitution which precedes Section 8 which says, "Compensation not to be increased during term." I think that is the only thing that Section 8 applies to and if the gentleman will consider it in that way he will realize that his inquiry about the constitutionality is completely out of order.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia on that one point?

The SPEAKER. If the gentleman from Philadelphia will permit himself to be interrogated?

Mr. SCHWARTZ. I shall, Mr. Speaker.

Mr. McCORMACK. The gentleman is not saying to the House that this caption, the title, is part of the Constitution or can be used in the Constitution?

Mr. SCHWARTZ. I am saying that.

Mr. McCORMACK. Do you have any authority for that?

Mr. SCHWARTZ. Do you have any authority to the contrary?

Mr. McCORMACK. I believe there is plenty of authority, and I can produce it, Mr. Speaker.

The SPEAKER. The Chair, sooner or later, will have to rule that the gentleman from Philadelphia, Mr. McCormack, is resorting to dilatory tactics. The Chair has been very patient, very considerate, and if the gentleman

from Philadelphia would say what he has to say and then insist on a roll call, the matter will be referred to the House.

Mr. McCORMACK. Mr. Speaker, inasmuch as the gentleman from Greene, the Majority Leader, has made a statement with respect to the merits of this bill and not with respect to the constitutionality, I ask the Chair for the right to make a reply so that I can walk around here and not have certain people who are paid a living wage hold me in contempt and disrespect.

The SPEAKER. Will the gentleman roll it up in a single statement?

Mr. McCORMACK. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. McCORMACK. Mr. Speaker, I believe that I can make a sob sister's speech here better or as good at least as any other Member.

QUESTION OF PERSONAL PRIVILEGE

Mr. BRETH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BRETH. I have been a Member of this House for a long time, 14 years. I have seen confused situations but never one like this and always there is one way out. Mr. Speaker, I move the previous question on the point of constitutionality.

The SPEAKER. Is the motion for the previous question seconded?

The Chair does not see a sufficient number to validate the motion.

Mr. McCORMACK. Mr. Speaker, I briefly want to say that I am in favor of increases for per diem employes. I know there are a heck of a lot of employes who would benefit by this bill who are most deserving of a salary or per diem increase. I know too that this bill goes a lot further than that. I think that it would be fairer to them if we gave them a bill and voted solely for per diem increases so that we could have a clear cut discision as to who deserves the increase, but the leaders saw fit to include all in Senate 309 that in spite of the unpopularity of getting up here and arguing against them I felt it was my duty to do so.

To get back to the constitutionality of the bill, I think we have heard both sides and I feel that my point is valid, but I shall be glad to see the opinion that Senator Fleming has and I will be glad to revise my thinking after looking at that. As I said before, I would like the bill held up until I see that opinion. I think there is no reason why it should not be held up at least for a half an hour or as long as it takes to get the letter.

Mr. A. M. LEE. Mr. Speaker, on the point of constitutionality, I hope that the gentleman from Philadelphia, Mr. McCormack, and the other Members will follow me on the Constitution and on the bill. I hope in my own way I may be able to clear up some of the confusion here.

Article 2, Section 8, says "the Members of the General Assembly shall receive such salary and mileage for regular and special sessions as generally fixed by law." Now it does not say that all the Members have to receive the same salary. It only says that the Members shall receive such salary and mileage as fixed by law.

Turning to the Conference Committee Report on Senate

Bill 309, page 14, section 13, the gentleman from Philadelphia raises a question because the language of the Conference Committee Report says "thereafter the President pro tempore of Senate in addition to his salary as a member of the General Assembly shall receive nine thousand dollars (\$9000)". He raises the point that the \$9000 is not salary. I say that it is salary because the bill does not say it is not salary; it says, he shall receive \$9000 in addition to his salary as a Member. His salary as a Member is fixed by law and I therefore say, Mr. Speaker, that the constitutional question is not properly raised. I feel that present provisions in this bill are completely constitutional in their present form and I ask all the Members on the question of constitutionality to vote in favor of the bill being constitutional.

The SPEAKER. Does the gentleman insist upon a roll call?

Mr. McCORMACK. A division of Voice Vote.

On the question recurring,

Will the House sustain the constitutional point of order?

A division was had, less than the majority of the members having voted in the affirmative the question was determined in the negative and the point of order was not sustained.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Mr. FARABAUGH. Mr. Speaker, I think if I had sat here and listened a little while longer, probably somebody would have said all the things I wanted to say.

However, there are some things I think might still be said. At the outset I state that it is quite alarming and interesting to me to find that so much concern arises today over the Conference Committee since there was very said about it when the bill originally came up.

I want to say in answer to the wonderful plea that has been made here for the employes or the people around here who do the work, as brought out so nicely by Mr. McCann, that he voiced very nicely my opinion as I have expressed it on other occasions. As to my willingness to vote for an increase for those people who do the work, it might concern you that what was not brought out very well was why you tie that in with some other salaries that are not justified. There was not anything in that plea made for the other people. There does not seem to be a question of those on the top getting a large amount, but it has to be tied together with some other bill to get people paid for what they earn.

There are several things I have been concerned with. I want to read to you something I hope you all have read, but I find that some people did not read it—this yellow piece of paper that you found in your mail box or on your desk. I want to read just part of it:

"There is a simple formula which even the amateur in the economic field can use—taxes must be paid out of income and income is measured by actual and potential production.

When taxes do not march in step with income based upon production, they inevitably become a capital levy.

Now that is a statement I agree with wholeheartedly, and that is my thinking along the line of this particular type of legislation, not only, if this passed, this one, but some other similar ones. I wonder when the Members

of this Legislature are going to think and act along that line. I am concerned about this. I want to see the people get paid who are working but I do not like the kind of flowers that are being handed out by some of this legislation.

Just one other thing, Mr. Speaker. Mr. Petrosky in his talk said they had worked very hard on this bill. I want to read to you a little statement in the newspaper, and see how that compares with that statement. I read from the Evening News:

Rep. Blaine C. Hocker, Oberlin Republican, illustrated with a finger-snap how he and two Democratic members of a conference committee suddenly reached a compromise—on Hocker's terms—which comes up for ratification in the House and Senate today.

"It happened just like that," Hocker told a reporter. Petrosky (Rep. Anthony J., Westmoreland County Democrat), came over to me and asked, "Are you ready to go?"

I said 'yes, on my understanding,' and that was it. There were no meetings leading up to it. Stank (Rep. John F., Northumberland County Democrat, the third House conferee) gave in later.

Now that sounds like hard work on a bill, does it not?

I am concerned about this type of legislation. I am concerned about the people who work for a living, and that is why I call to your attention that I think you are very late in getting concerned about the needs in this bill. It went over very nicely, and now it comes up at a time like this when you really want to discuss the workings of the Conference Committee, which are simple, as the newspaper shows you.

Mr. HOCKER. Mr. Speaker, I think I owe an answer to Mr. Farabaugh.

I cannot help what is printed in the newspaper. I want to say this to Mr. Farabaugh; I want to get it straight in his mind. That only had reference to what happened yesterday. I want to say to you, Mr. Farabaugh, that we put in many, many hours; we had many, many arguments; we had many, many discussions about this matter, and I wish the paper would print that. We spent hour after hour on this bill, not only among ourselves but in conjunction with the Governor's office and other people who were interested. I cannot help what you just read in the paper, Mr. Farabaugh.

Mr. PETROSKY. Mr. Speaker, just a brief statement about the Conference Report that is now before you for action.

On June 22 in this House Senate Bill 309, Printer's No. 991, was passed by a vote of 140 to 54. Through a desire of the membership of the House and the Senate to throw this into conference, notwithstanding what appears in the paper, recognize, if you will, the report shows that the entirety of the operation of this bill was pared down to the absolute minimum, and we have effected, from the previous passage of the bill, a lesser amount for the operations of this House in the neighborhood of \$165,000.

I ask the membership of the House to adopt the Conference Report.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—135

Anderson,	Foerster,	McDonald,	Rovansek,
Balthaser,	Frascella,	McKeever,	Royer,
Barton,	Galley,	McLaughlin,	Schaaf,
Bell,	Gallagher,	Markley,	Schuster,
Boles,	George,	Maxwell,	Schwartz,
Bonner,	Goodrich,	Meholchick,	Seltzer,
Boris,	Gramlich,	Miller, B. Z.,	Shupnik,
Bower,	Hamilton,	Mills,	Silverman,
Branca,	Heavey,	Monroe,	Snare,
Breth,	Helm,	Muldowney,	Snider,
Burns,	Hocker,	Mullen,	Stank,
Capano,	Holt,	Munley,	Steckel,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stewart,
Cianfrani,	Irvis,	Murphy, P. J.,	Stimmel,
Cioffi,	Isaacs,	Murray, H. P.	Stone,
Clarke,	Jenkins,	Murray, J. J.,	Stoner,
Comer,	Jim,	Musto,	Sullivan,
Crossin,	Jones, F. R.,	Naugle,	Taylor,
Curwood,	Jump,	Needham,	Tompkins,
Davis,	Kamyk,	O'Donnell, J. A.,	Trusio,
Dennis,	Kelser,	O'Donnell, J. P.,	Varallo,
Dennison,	Kernaghan,	Odorisio,	Varnier,
Devlin,	Kessler,	Ogilvie,	Verona,
Donahue,	Knecht,	Parlante,	Wall,
Dougherty,	Kornick,	Petrosky,	Wargo,
Down,	Korns,	Polaski,	Wheeler,
Edwards,	Kubitsky,	Polen,	Wilt,
Ellberg,	Lamb,	Prendergast,	Wood,
Eshback,	Lee, A. M.,	Price,	Yatron,
Ewing,	Leonard,	Reibman,	Yetter,
Filo,	Limper,	Reidenbach,	Zimmerman,
Fineman,	Lopresti,	Renwick,	Andrews,
Floyd,	Lulgard,	Riley,	Speaker
Flynn,	McCann,		

NAYS—41

Ashton,	Henzel,	Mahan,	Sakulsky,
Brenninger,	Holliday,	Merry,	Sherman,
Eshleman,	Johnson, R.,	Miller, H. G.,	Ujober,
Farabaugh,	Jones, T. H. W.,	Murray, P. G.,	Walsh,
Fetterolf,	Kooker,	Nelson,	Weldner,
Fox,	Lutty,	O'Neill,	Williams, A. D. Jr.,
Frank,	McCandless,	Pashley,	Williams, E. S.,
Fulmer,	McCormack,	Perry, H. H.,	Willard,
Garlock,	Machmer,	Perry, P. E.,	Willaredt,
Gelfand,	Magee,	Pursley,	Worley,
Goldstein,			

NOT VOTING—32

Agnew,	Donaldson,	Lippincott,	Stevens,
Arlene,	Gibb,	McInroy,	Strausser,
Auker,	Guthrie,	Mihm,	Stroup,
Blair,	Heffner,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	O'Dell,	Welsh,
Brown,	Kee,	Rigby,	Wescott,
Buchanan,	Kovolenko,	Rudisill,	Whittaker,
Cooper,	Lee, K. B.,	Scarcelli,	Wynd,
Dengler,	Light,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 * * *" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovanssek,
Ashton,	Galley,	McDonald,	Royer,
Balthaser,	Gallagher,	McKeever,	Sakulsky,
Barton,	Garlock,	McLaughlin,	Schaaf,
Bell,	Gelfand,	Machmer,	Schuster,
Blair,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Hamilton,	Merry,	Snare,
Branca,	Heavey,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Mills,	Steckel,
Burns,	Hocker,	Monroe,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stone,
Cianfrani,	Horst,	Munley,	Stoner,
Cioffi,	Irvins,	Murphy, A. J., Jr.	Sullivan,
Clarke,	Isaacs,	Murphy, P. J.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobal,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Keiser,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kernaghan,	O'Donnell, J. P.	Weldner,
Dougherty,	Kessler,	Odorisio,	Wescott,
Down,	Knecht,	Ogilvie,	Wheeler,
Edwards,	Kooker,	O'Neil,	Williams, A. D., Jr.,
Ellberg,	Kornick,	Parlante,	Williams, E. S.,
Eshback,	Korns,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Perry, P. E.,	Wilt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wood,
Fetterolf,	Lee, K. B.,	Polaski,	Worley,
Filo,	Leonard,	Polen,	Wynd,
Fineman,	Limper,	Prendergast,	Yatron,
Floyd,	Lippincott,	Price,	Yetter,
Flynn,	Lopresti,	Pursley,	Zimmerman,
Foerster,	Luigard,	Reibman,	Andrews,
Fox,	Lutty,	Reidenbach,	Speaker
Frank,	McCandless,	Renwick,	

NAYS—0

NOT VOTING—22

Agnew,	Heffner,	Moran,	Strausser,
Auker,	Johnson, A. W.,	Rigby,	Stroup,
Brown,	Kovolenko,	Rudisill,	Thompson,
Buchanan,	Light,	Scarcelli,	Welsh,
Cooper,	McInroy,	Stevens,	Whittaker,
Guthrie,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence..

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2377, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the issuance of new hotel restaurant and club liquor licenses.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 2377 is a piece of legislation that is needed for the Luzerne County Airport installation.

If you will recall, back a few weeks ago this House and the Senate passed a piece of legislation permitting the newly constructed airport facilities to have a liquor license. That was enacted into law. The dedication of this multi-million-dollar program is scheduled for October 18, and under the existing liquor laws, licenses can only be issued each six months, which is required at the present time.

This piece of legislation, if you will read at carefully, in the new material states that nothing herein contained shall prohibit the Board from issuing a new license for the balance of any unexpired term in any license district to any applicant in such district who shall have become eligible to hold such license as a result of Legislative enactment. We enacted the law that provided for this and now this piece of legislation needs to be signed by October 18 for this dedication at this particular installation in Luzerne County. I believe the airport has an official name and I ask that all the Members support this legislation for Luzerne, Lackawanna County Airport facilities.

Mr. Speaker, the explanation will very clearly indicate that this pertains to this particular case and no other cases.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Anderson,	Frank,	McCormack,	Riley,
Arlene,	Frascella,	McDonald,	Rovanssek,
Ashton,	Fulmer,	McKeever,	Royer,
Balthaser,	Galley,	McLaughlin,	Sakulsky,
Barton,	Gallagher,	Machmer,	Schaaf,
Bell,	Gelfand,	Magee,	Schuster,
Blair,	George,	Mahan,	Schwartz,
Boles,	Helm,	Markley,	Seltzer,
Bonner,	Henzel,	Maxwell,	Sherman,
Boris,	Gibb,	Meholchick,	Shupnik,
Bower,	Goldstein,	Merry,	Silverman,
Bowman,	Goodrich,	Miller, B. Z.,	Snare,
Branca,	Gramlich,	Miller, H. G.,	Snider,
Brenninger,	Hamilton,	Mills,	Stank,
Breth,	Heavey,	Monroe,	Steckel,
Burns,	Hocker,	Muldowney,	Stewart,
Capano,	Holt,	Mullen,	Stimmel,
Capitolo,	Horst,	Munley,	Stone,
Cianfrani,	Irvins,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Isaacs,	Murphy, P. J.,	Sullivan,
Clarke,	Jenkins,	Murray, H. P.,	Taylor,
Comer,	Jim,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kornick,	Parlante,	Wheeler,
Edwards,	Korns,	Pashley,	Williams, E. S.,
Ellberg,	Kubitsky,	Perry, H. H.,	Willard,
Eshback,	Lamb,	Perry, P. E.,	Willaredt,
Eshleman,	Lee, A. M.,	Petrosky,	Wilt,
Ewing,	Lee, K. B.,	Polaski,	Wood,
Farabaugh,	Leonard,	Polen,	Worley,
Fetterolf,	Limper,	Prendergast,	Wynd,
Filo,	Lippincott,	Price,	Yatron,
Fineman,	Lopresti,	Pursley,	Yetter,
Floyd,	Luigard,	Reibman,	Zimmerman,
Flynn,	Lutty,	Reidenbach,	Andrews,
Foerster,	McCandless,	Renwick,	Speaker
Fox,	McCann,		

NAYS—5

Garlock, Holliday, Kooker, Nelson, Williams, A.D., Jr.,

NOT VOTING 22

Agnew, Heffner, Moran, Strausser,
Auker, Johnson, A. W., Rigby, Stroup,
Brown, Kovolenko, Rudisill, Thompson,
Buchanan, Light, Scarcelll, Welsh,
Cooper, McInroy, Stevens, Whittaker,
Guthrie, Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufactures to give distributing rights to importing distributors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Anderson, Frascella, McCann, Riley,
Arlene, Fulmer, McCormack, Rovanssek,
Ashton, Gailey, McDonald, Royer,
Balthaser, Gallagher, McKeever, Sakulsky,
Barton, Garlock, McLaughlin, Schaaf,
Bell, Gelfand, Machmer, Schuster,
Blair, George, Magee, Schwartz,
Boles, Gibb, Mahan, Seltzer,
Bonner, Goldstein, Markley, Sherman,
Boris, Goodrich, Maxwell, Shupnik,
Bower, Gramlich, Meholchick, Silverman,
Bowman, Hamilton, Merry, Snare,
Branca, Heavey, Miller, B. Z., Snider,
Brenninger, Helm, Miller, H. G., Stank,
Breth, Henzel, Mills, Steckel,
Burns, Hocker, Monroe, Stewart,
Capano, Holliday, Muldowney, Stimmel,
Capitolo, Holt, Mullen, Stone,
Clanfrani, Horst, Munley, Stoner,
Cloffi, Irviss, Murphy, A. J., Jr. Sullivan,
Clarke, Isaacs, Murphy, P. J., Taylor,
Comer, Jenkins, Murray, H. P., Tompkins,
Crossin, Jim, Murray, J. J., Trusio,
Curwood, Johnson, R., Murray, P. G., Ujobal,
Davis, Jones, F. R., Musto, Varallo,
Dengler, Jones, T. H. W., Naugle, Varner,
Dennis, Jump, Needham, Verona,
Dennison, Kamyk, Nelson, Wall,
Devlin, Kee, O'Dell, Walsh,
Donahue, Kelser, O'Donnell, J. A., Wargo,
Donaldson, Kernaghan, O'Donnell, J. P., Weidner,
Dougherty, Kessler, Odorisio, Wescott,
Down, Knecht, Ogilvie, Wheeler,
Edwards, Kooker, O'Neil, Williams, A.D., Jr.,
Ellberg, Kornick, Parlante, Williams, E. S.,
Eshback, Korn, Pashley, Willard,
Eshleman, Kubitsky, Perry, H. H., Willaredt,
Ewing, Lamb, Perry, P. E., Wilt,
Farabaugh, Lee, A. M., Petrosky, Wood,
Fetterolf, Lee, K. B., Polaski, Worley,
Filo, Leonard, Polen, Wynd,
Fineman, Limper, Prendergast, Yatron,
Floyd, Lippincott, Price, Yetter,
Flynn, Lopresti, Pursley, Zimmerman,
Foerster, Luigard, Reibman, Andrews,
Fox, Luty, Reidenbach, Speaker,
Frank, McCandless, Renwick,

NAYS—0

NOT VOTING—22

Agnew, Heffner, Moran, Strausser,
Auker, Johnson, A. W., Rigby, Stroup,
Brown, Kovolenko, Rudisill, Thompson,
Buchanan, Light, Scarcelll, Welsh,
Cooper, McInroy, Stevens, Whittaker,
Guthrie, Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 459, Printer's No. 1498, on page 13 of today's calendar, bills on final passage postponed.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

Mr. A. J. MURPHY. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 163.

The SPEAKER. The report will lie over for printing under the Rules.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2346

Mr. MEHOLCHICK. Mr. Speaker, I move that the vote by which House Bill No. 2346, Printer's No. 1672, entitled:

"An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended, 'An act creating a joint legislative commission to be known as the Joint State Government Commission * * *, authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.'"

was defeated on Final Passage Monday, September 21, 1959, be reconsidered.

Mr. O'NEIL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Meholchick vote on the final passage of this bill?

Mr. MEHOLCHICK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Clearfield, Mr. O'Neil vote on the final passage of this bill?

Mr. O'NEIL. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. LOPRESTI. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. YETTER from the Committee on Highways, reported as committed House Bill No. 2387, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing adoption of uniform standards and specifications for establishment, construction, reconstruction, maintenance and repair of highways and authorizing research, planning and programming of highways.

Mr. YETTER from the Committee on Highways, reported as committed, House Bill No. 2388, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for present or future highway purposes.

Mr. CROSSIN from the Committee on Insurance, reported as committed, Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

Mr. CROSSIN from the Committee on Insurance, reported as committed, Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

Mr. MUSTO from the Committee on Education, reported as amended, House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used; and revising the basis for reimbursement on account of instruction.

Mr. CLARKE from the Committee on Cities—Counties Second and Second Class A reported as amended, House Bill No. 1963, entitled:

An Act amending the act of December 22, 1951 (P. L. 1715), entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings," removing the maximum limitation on salaries of councilmen.

Mr. DEVLIN from the Committee on Cities—Counties Second and Second Class A, reported as amended, House Bill No. 2171, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards, * * *.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2387 entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing adoption of uniform standards and specifications for establishment, construction, reconstruction, maintenance and repair of highways and authorizing research, planning and programming of highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2388 entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for present or future highway purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 901 entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 902 entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

Mr. SHERMAN offered a resolution which was filed with the Clerk under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 1002.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

SENATE BILL No. 1065.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise for two purposes.

First, I have just been informed that between now and the time we come back in to Session the Jewish people

of our Commonwealth celebrate their New Year. I think that we should wish to the Jewish Members of this House a very, very Happy Jewish New Year.

Secondly, Mr. Speaker, there was an event that occurred in this Commonwealth last Friday that to a Member of this House has become rather commonplace, but I believe it is worthy of some recognition. The wife of the gentleman from Lebanon, Mr. Seltzer gave birth to a new baby daughter last Friday.

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Seltzer.

Mr. SELTZER. On behalf of the new born baby, my wife, and myself, I thank you. My only comment is, Mr. Speaker, that when you can lay the keel and launch the ship during the same session we have been here too long. Let's go home.

BILLS INTRODUCED AND REFERRED

By Messrs. WYND, CIOFFI and ESHBACK.

HOUSE BILL No. 2412.

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salary of certain county officers in counties of the eighth class," clarifying the effective date.

Referred to the Committee on Rules.

By Messrs. SAKULSKY, REIDENBACH and BORIS.

HOUSE BILL No. 2413.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Referred to the Committee on Rules.

By Messrs. CIOFFI and T. H. W. JONES.

HOUSE BILL No. 2414.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for payment to posts of the Italian-American World War Veterans of the United States, Incorporated.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS, Mrs. KOOKER,

Messrs. ISAACS and A. J. MURPHY.

HOUSE BILL No. 2415.

A Joint Resolution proposing an amendment to article five, section eleven of the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to enact laws requiring and regulating educational qualifications for justices of the peace and aldermen.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 578 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day ap-

proved and signed House Concurrent Resolution recalling from the Governor House Bill No. 578, Printer's No. 1573, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. LOPRESTI. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cambria, Mr. Lopresti vote on the final passage of this bill?

Mr. LOPRESTI. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 3, line 7, by striking out: "if under thirty-five years of age".

Amend Bill, page 4, by inserting after line 6:

"Section 2. The act is amended by adding, after section 4 thereof, a new section to read:

Section 4.1 Educational Requirement Waived for Certain Persons A person thirty-five years of age or over or a veteran desiring to take an examination to receive a certificate as an operator shall not be required to have completed a tenth grade education or the equivalent thereof, as set forth in clause (2) of section 4 of this act.

Section 3 This act shall take effect in two years.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 379, 436 and 864.

Amended House Bill recalled from the Governor non-concurred in by the Senate No. 762.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2326.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31 1959

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend Section 2, page 4, line 3, by inserting after the word "offices" the following: "volunteer Firemen's relief association funds"; line 5, by striking out after the word "official" the figures "\$578,250" and inserting in lieu thereof the figures "\$719,250"; page 5, line 8, by striking out after the word "Code" the figures "1,735,000" and inserting in lieu thereof the figures "1,700,000"; page 6, line 6, by striking out after the word "notes" the figures "75,000" and inserting in lieu thereof the figures "65,000"; page 8, line 16, by striking out after the word "surveys" the figures "\$2,907,739" and inserting in lieu thereof the figures "\$2,092,285"; page 9, by striking out on line 12 the figures "\$6,660,381" and inserting in lieu thereof the figures "\$6,337,600"; and by inserting after line 12 the following:

Payment of fees to veterinarians to take blood samples from all cattle not operating under the milk ring test or the individual plan for the control of Brucellosis 170,000.

For the maintenance of a calfhood vaccination program in the control and eradication of Brucellosis . . . 292,250; page 10, line 5, by striking out after the figures "1929" the figures "150,000" and inserting in lieu thereof the figures "\$75,000"; and by striking out after line 17 the following:

For making grants to agricultural organizations for promotion of Pennsylvania agricultural products . . . 50,000; page 11, line 19, by striking out after the letters and figures "(P. L. 318)," the figures "40,000" and inserting in lieu thereof the figures "30,000"; page 12, line 15, by striking out after the word "costs" the figures "\$894,718"; and inserting in lieu thereof the figures "800,000"; page 13, line 19, by striking out after the word "costs" the figures "2,173,657" and inserting in lieu thereof the figures "1,686,655"; page 14, line 14, by striking out after the word "costs" the figures "8,924,879" and inserting in lieu thereof the figures "8,886,879"; page 15, line 11, by striking out after the letters and figures "(P. L. 1209)," the figures "\$173,000" and inserting in lieu thereof the figures "198,000"; page 16, line 16, by striking out after the word "costs" the figures "\$16,294,638" and inserting in lieu thereof "15,466,263"; page 17, line 3, by striking out the figures "19,285,000" and inserting in lieu thereof the figures "\$19,000,000"; line 8, by striking out after the word "assistance" the figures "6,414,000" and inserting in lieu thereof the figures "3,114,000"; line 19, by striking out after the word "properties" the figures "1,249,349" and inserting in lieu thereof the figures "1,157,839"; page 18, line 8, by striking out after the word "costs" the figures "2,417,571" and inserting in lieu thereof the figures "2,354,547"; line 17, by striking out after the word "costs" the figures "2,564,455" and inserting in lieu thereof the figures "2,339,455"; page 19, line 9, by striking out after the word "Dallas" the figures "28,277,307" and inserting

in lieu thereof the figures "\$28,167,307"; page 20, line 2, by striking out after the word "costs" the figures "9,003,358" and inserting in lieu thereof the figures "\$8,277,719"; line 11, by striking out after the letters and figures "(P. L. 566)," the figures "30,000,000" and inserting in lieu thereof the figures "27,000,000"; page 23, line 3, by striking out after the letters and figures "(P. L. 136)," the figures "1,500,000" and inserting in lieu thereof the figures "\$1,800,000"; line 18, by striking out after the word "costs" the figures "3,616,935" and inserting in lieu thereof the figures "3,513,229"; page 24, line 3, by striking out after the figures "1929" the figures "525,000" and inserting in lieu thereof the figures "\$375,000"; page 25, line 8, by striking out after the word "costs" the figures "\$15,825,178" and inserting in lieu thereof the figures "\$15,122,603"; line 12 by striking out after the figures "1929" the figures "43,500,000" and inserting in lieu thereof the figures "42,450,000"; page 26, line 8, by striking out after the word "costs" the figures "\$8,160,863" and inserting in lieu thereof the figures "\$7,921,048"; line 17, by striking out after the word "Cheney" the figures "678,000" and inserting in lieu thereof the figures "834,700"; line 18, by striking out after the word "Clarion" the figures "974,000" and inserting in lieu thereof the figures "1,003,000"; line 20, by striking out after the word "Stroudsburg" the figures "1,172,000" and inserting in lieu thereof the figures "1,233,000"; page 27, line 4, by striking out after the word "Haven" the figures "930,000" and inserting in lieu thereof the figures "1,036,200"; line 5, by striking out after the word "Mansfield" the figures "915,000" and inserting in lieu thereof the figures "1,038,000"; line 6, by striking out after the word "Millersville" the figures "1,526,000" and inserting in lieu thereof the figures "1,567,400"; line 7, by striking out after the word "Shippensburg" the figures "1,221,000" and inserting in lieu thereof the figures "1,243,700"; line 9, by striking out after the word "Chester" the figures "2,180,000" and inserting in lieu thereof the figures "2,188,000"; page 29, line 9, by striking out after the word "open" the figures "\$531,051,488" and inserting in lieu thereof the figures "\$527,885,138"; line 13, by striking out after the figures "1949" the figures "48,915,000" and inserting in lieu thereof the figures "42,415,000"; line 16 by striking out after the figures "1949" the figures "42,435,561" and inserting in lieu thereof the figures "41,435,561"; line 20, by striking out after the figures "1949" the figures "26,432,500" and inserting in lieu thereof the figures "26,000,000"; page 30, line 3, by striking out after the figures "1949" the figures "4,900,000" and inserting in lieu thereof the figures "\$4,755,000"; line 17, by striking out after the figures "1949" the figures "6,825,000" and inserting in lieu thereof the figures "6,800,000"; page 31, line 9, by striking out after the word "blind" the figures "3,250,000" and inserting in lieu thereof the figures "2,750,000"; page 32, line 2, by striking out after the figures "2503" the figures "2,700,000" and inserting in lieu thereof the figures "\$2,500,000", and inserting after line 2 the following:

The amounts of the appropriations made to the Department of Public Instruction by this act for payments to school districts are based upon the market valuations of all school districts for the year 1957 as certified by the state tax equalization board on June 30, 1958 and no payments the amounts of which are fixed through use of a school district's basic account standard reimbursement fraction subsidiary account reimbursement fraction or capital account reimbursement fraction shall be made during the school year 1960-1961 for the school year 1959-1960 except as computed upon such market valuations for the year 1957 as certified by the state tax equalization board; page 35, line 10, by striking out the figures "3,951,957" and inserting in lieu thereof the figures "3,915,957"; page 36, line 7, by striking out after the word "costs" the figures "\$10,187,828" and inserting in lieu thereof the figures "\$9,512,828"; page 38, line 9, by striking out after the word "grove" the figures "\$933,283" and inserting in lieu thereof the figures "\$900,000"; line 14, by striking out after the letters and figures "(P. L. 533)," the figures "932, 157" and inserting in lieu thereof the figures "900,000"; page 39, line 6, by striking out after the letters and figures "(P. L. 1803),"

the figures "618,706" and inserting in lieu thereof the figures "318,706"; line 19, by striking out after the word "Hospital" the figures "\$19,526,883" and inserting in lieu thereof the figures "\$19,000,000"; page 41, line 2, by striking out after the letters and figures "(P. L. 279)," the figures "\$116,784,090" and inserting in lieu thereof the figures "\$106,784,090"; page 43, by striking out after the word "costs" the figures "\$18,141,857" and inserting in lieu thereof the figures "\$16,904,857"; page 45, line 3, by striking out after the word "costs" the figures "7,257,272" and inserting in lieu thereof the figures "\$7,004,272"; line 20, by striking out after the word "costs" the figures "\$726,183" and inserting in lieu thereof the figures "\$500,000"; page 46, line 9, by striking out after the letters and figures "(P. L. 1293)," the figures "40,000" and inserting in lieu thereof the figures "60,000"; page 47, line 8, by striking out the figures "77,000" and inserting in lieu thereof the figures "\$75,000"; page 49, line 18, by striking out after the word "Journal" the figures "\$6,150" and inserting in lieu thereof the figures "9,150"; page 50, by striking out after the word "Recess" on line 6, the figures "6,500" and inserting in lieu thereof the figures "5,500"; line 7, by striking out after the word "Session" the figures "7,500" and inserting in lieu thereof the figures "6,500"; line 18 by striking out after the word "Session" the figures "\$1,000" and inserting in lieu thereof the figures "1,500"; line 20, by striking out after the word "Session" the figures "1,000" and inserting in lieu thereof the figures "1,500"; page 53, line 10, by striking out after the word "account" the figures "\$70,000" and inserting in lieu thereof the figures "60,000", and inserting after line 10 the following:

For payment of the expenses of the committee of the Senate and the Members thereof appointed to investigate into the affairs and activities of the Department of Public Welfare pursuant to Senate Resolution No. 18 adopted March 16, 19593,500

For payment of the expenses of the committee of the Senate and the Members thereof appointed to investigate the redecoration of the offices of the superintendent of public instruction and other fiscal policies of his administration pursuant to Resolution Serial No. 11 adopted March 3, 19596,000

For payment of the expenses of the committee of the Senate and the Members thereof appointed to investigate the rate-making policy and the past and proposed expenditures of the Allegheny County sanitary authority pursuant to Senate Resolution Serial No. 27 adopted June 22, 19592,500;

page 56, line 5, by striking out after the word "Session" the figures "1,000" and inserting in lieu thereof the figures "1,500"; line 7, by striking out after the word "Session" the figures "1,000" and inserting in lieu thereof the figures "1,500"; page 58, line 20, by striking out after the word "account" the figures "\$70,000" and inserting thereof the figures "\$60,000"; page 61, line 14, by striking out after the letters and figures "(P. L. 212)," the figures "110,000," and inserting in lieu thereof the figures "120,000"; line 17, by striking out after the letters and figures "(P. L. 212)," the figures "20,000" and inserting in lieu thereof the figures "25,000"; page 62, line 6, by striking out after the letters and figure "(P. L. 5)," the figures "\$205,000" and inserting in lieu thereof "\$215,000"; line 14, by striking out after the word "Bar" the figures "11,000" and inserting in lieu thereof the figures "12,000"; line 16, by striking out after the letters and figures "(P. L. 1982)," the figures "30,000" and inserting in lieu thereof the figures "35,000"; page 67, by inserting after line 15 the following:

Section 10. No part of the appropriations made by this act shall be used to pay for hospital or institutional care or training at rates in excess of those charged to the general public for the same care and services.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1746.

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "ten million dollars (\$10,000,000)" and inserting in lieu thereof the words and figures "eight million five hundred thousand dollars (\$8,500,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

BILL No. 309.

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 309

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 309, entitled:

An Act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employees

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,
JAMES S. BERGER,
BENJAMIN R. DONOLOW,
(Committee on the part of the Senate)

BLAINE C. HOCKER,
JOHN F. STANK,
ANTHONY J. PETROSKY,
(Committee on the part of the House of Representatives).

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 309.

An Act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employes.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SHERMAN and EILBERG.

RESOLUTION No. 120.

In the House of Representatives, September 30, 1959.

The House of Representatives requires for its use comprehensive factual information concerning:

- (1) The high cost of higher education, and
- (2) Scholarships and financial assistance available to worthy students who are unable to attend institutions of higher learning because of financial reasons; therefore, be it

Resolved, That the Joint State Government Commission be directed to study and investigate:

- (1) The high cost of higher education, its causes and the effects thereof on our economic and social system and programs whereby the costs may reduced, and
- (2) Scholarships and financial assistance available to worthy students and programs whereby such assistance may be expanded with particular emphasis directed toward State Colleges, Universities and State aided institutions of higher learning, and be it further

Resolved, That the Joint State Government Commission report to the House of Representatives at the next regular session of the General Assembly its finding and recommendations, with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1748.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "ten million dollars (\$10,000,000)" and inserting in lieu thereof the words and figures "three million dollars (\$3,000,000)"; page 2, line 3, by inserting after the word "Law" the following:

"not more than ten per centum of the amount herein appropriated shall be allocated or granted to any one political subdivision."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED AND REFERRED

By Messrs. A. J. MURPHY, CAPANO and
A. D. WILLIAMS.

HOUSE BILL No. 2416.

An Act extending the time for the commencement of actions in certain cases.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2326 entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

And has appointed Messrs. Kessler, Fleming and Weiner a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2326

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, McCANN and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1746 entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And has appointed Messrs. Kessler, Fleming and Lane

a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1746

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, McCANN and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1748 entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And has appointed Messrs. Kessler, Fleming and Weiner a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1748.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, SCHWARTZ and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 13, 1959 at 3:30 p. m., EST.

The motion was agreed to, and (at 6:31 p. m., EST), the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., THURSDAY, OCTOBER 1, 1959.

No. 100.

SENATE

THURSDAY, October 1, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Schuylkill, Mr. WAGNER:

Dear Lord, this week we have seen Thy smile in the sunshine and we have sensed Thy strength in the stars. As we begin a new legislative day, grant us good judgment and great patience. Guide us and direct us in our deliberations and, when necessary, overrule in our plans and in our lives.

We ask God's blessing and grace upon this Commonwealth and upon its people, in the Name of our Heavenly Father. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood or high water of August, 1955; * * *," extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

Which was committed to the Committee on Rules.

House Bill No. 2377, entitled:

An Act amending the "Liquor Code," approved April 12,

1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

Which was committed to the Committee on Rules.

HOUSE CONCURS IN SENATE BILL No. 920

He also returned to the Senate, Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," regulating sales by distributors and importing distributors, and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1746 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

and has appointed Messrs. POLEN, McCANN and TOMPKINS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1748 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

and has appointed Messrs. POLEN, SCHWARTZ and TOMPKINS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 2326 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

and has appointed Messrs. POLEN, McCANN and TOMP-KINS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 390, Printer's No. 908; and
Senate Bill No. 1131, Printer's No. 1354.

REPORTS FROM COMMITTEES

Mr. KOPROIVER, JR., from the Committee on Local Government reported as committed, House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147), entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth" increasing the compensation of certain coroner's jurors.

Mr. KELLER, from the Committee on State Government, reported as committed, House Bill No. 1789, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" adding to and redefining the powers and duties of the Department of Public Instruction with respect to libraries and authorizing regional library resource centers.

Mr. PECHAN, from the Committee on Rules, reported as committed, House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring the erection of certain warning signs on State Highways.

He also, from the Committee on Rules reported as committed, House Bill No. 2335, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

He also from the Committee on Rules reported as committed, House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

He also from the Committee on Rules reported as committed, House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959" making technical changes and clarifying language.

He also from the Committee on Rules reported as committed, House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

He also from the Committee on Rules reported as amended, House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

Mr. WAGNER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 163, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract by motor vehicle in certain cases.

The PRESIDENT. The report will lie over for printing under the rules.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, last week, when we passed the Pennsylvania Poem, Senator Seyler asked some questions. At this time, I would like to read from a letter which I received from the author of that poem, Mr. Gerall G. Dovenspike, of Clarion. I am going to read a part of this letter, out of context, as follows:

"I received a fine letter from Senator Berger notifying me of the action." Of course, that action was taken here on the floor. "Today I received a clipping from the Allentown paper, sent to me by my good friend, Gene McDonald, of the Pottsville Chamber of Commerce, titled 'Culture vs. Common Sense,' in which Senator Seyler was asking you questions concerning two phrases in the poem. The first 'Cavalcades of effigies' which I am sure you answered correctly when you said quote, 'He doesn't understand culture.' Here is the meaning it implies in the poem. Cavalcades literally means a procession of persons on horseback but may mean a group of people passing as through the years from the very beginning of our State to the present time and the future. Effigies refers to images, breaking down a poetic license phrase to prose we may explain that a great group or imaginary people, yet real, lift the bars or open the gates disclosing the pioneers who settled our great State."

Senator Seyler said he did not understand the phrase, "A thousand cities made from one." Mr. Dovenspike, in his letter, explains as follows:

"The phrase 'A thousand cities made from one' simply means growth from the time of Wm. Penn. I sure would liked to have heard the discussion."

The PRESIDENT. Is that the end of your speech?

Mr. PECHAN. That is the end of my speech. However, if Senator Seyler gets up now, I will go back into the Greek alphabet, so help me, St. John.

The PRESIDENT. Senator Seyler, I would say that that was a possible threat.

Mr. SEYLER. Mr. President, what order of business are we under?

The PRESIDENT. This was under Reports From Committees.

The gentleman had completed a report From the Rules Committee and then asked for unanimous consent to read a short statement.

Mr. SEYLER. Mr. President, I would ask for unanimous consent to answer the gentleman. However, I would first yield, under that privilege, to my colleague, Senator Hays, who I believe has a remark to make before I enter the discussion.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I desire to read a paragraph or two from my morning mail on the topic in question.

I received a letter from the Pennsylvania Poetry Society, with offices at 264 Walton Street, Lemoyne, Pennsylvania. There are some personal paragraphs which I will not bore you with, but the pertinent paragraphs read as follows:

"The article about the State Poem in last week's E-News therefore interested me very much. I thought your remarks most sensible and pertinent as quoted in the paper.

"As I am now president of the Pennsylvania Poetry Society, which meets twice annually in Harrisburg, with an active crew of working poets holding a monthly workshop here, may I suggest we would be happy to help assemble a board of review. Was this poem the result of a state-wide competition?

"Mr. Dovenspike is a member of our organization, and undoubtedly he would be the first to agree that such a decision should be made after fair and broad appraisal, with opportunities for others to compete.

"With best wishes"

The letter is signed by Cecilia Parsons Miller who, obviously, is the President of the Pennsylvania Poetry Society.

I would like that in the record, please, Mr. President.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Centre, Senator Hays.

The PRESIDENT. Will the gentleman from Centre, Mr. Hays, permit himself to be interrogated?

Mr. HAYS. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the gentleman which organization he referred to, poultry or poetry, when he was reading. I really did not understand him clearly over the microphone.

Mr. HAYS. Mr. President, I regret that my enunciation was so poorly done, but the Poultry Association comes next week. This week, we are devoting ourselves to poetry—p-o-e-t-r-y. I regret that this was not clear in the gentleman's mind.

Mr. BERGER. However, there is a dual membership, I imagine.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I, too, have received a lot of mail on this issue. It seemed to elicit more interest and more comment than many of the issues which one might consider more important to the Commonwealth.

Unfortunately, not knowing that Senator Pechan was going to bring his references in this morning, I did not bring my references. However, I would like to tell him that I received communications from a number of people, including teachers of English in both the secondary and post-secondary level, and these people expressed approval of the position I took at that time. They had comments of their own to make about the poem in question and the lines which I questioned.

I would say that one ingenious suggestion as to an interpretation of the line about "cavalcades of effigies," which is different from Mr. Dovenspike's, was that it possibly referred—speaking about "cavalcades of effigies"—to "The Hollow Men," written by T. S. Eliot. Anyone acquainted with Mr. Eliot's poem will realize that Mr. Eliot was discussing, in talking about the hollow men, the decadence of modern man and his hollowness, his emptiness of spirit. I think Mr. Dovenspike might be a rather sly individual. After hearing debates such as we had yesterday, and similar ones in the past, I would not be surprised that he may be ironically referring to some of the gentlemen in the Senate, when he wrote the line referring to "cavalcades of effigies." Effigies are, of course, dummies or statues and could quite well fit into this category.

I would like the gentlemen of the Senate to picture the students in the schools of Pennsylvania, having to learn this poem and having to try to understand this poem. If we need such devious explanations as were offered this morning by the gentleman who spoke, it seems to me we are imposing a hardship on the students of Pennsylvania.

I am glad to learn that Mr. Dovenspike is a card-carrying member, in good standing, of some poetry outfit. This gives him a status which I did not realize he had. I do not know whether they have ethics, like the doctors and lawyers, about not advertising and not going in for self-promotion or not. However, since there is such an organization, if they have a code of ethics, I think perhaps they should consider the propriety of one of their poets in promoting his poetry to the extent which Mr. Dovenspike seems to be doing.

As I stated before, I yield to Senator Pechan as a critic of poetry. The gentleman demonstrated, in his answers last week, in giving us the Greek alphabet, that he is a learned man. Anyone who can recite the Greek alphabet undoubtedly is on a level here that is definitely cultured. If the gentleman says I am not cultured, I have no defense against his accusation. However, I do say that I stand for common sense in this matter. If we have to have a Pennsylvania Poem, I would like to have one that can be readily understood, one that teachers can explain to students, one that students can understand and one which will not add another burden upon the now intolerable

burden of the poor schoolboy who is trying to learn all the things he needs to outfit him for life.

Mr. PECHAN. Mr. President, I would just like to say one thing to Senator Seyler.

If I said that Senator Seyler had no culture, believe me, I was in error. I just said that he did not appreciate good culture. I did not say he was not cultured. I look to him with a great deal of respect. However, last week, I did make the statement that I was happy that his students were not here to see him because I did not feel that he appreciated the culture, as was expressed in that poem.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I cannot let this opportunity go by to bring out the cultural side of Schuylkill County. Schuylkill County has been discussed in this Senate regarding coal, distressed economy, schools and sundry matters.

However, Mr. President, I have before me a gem of literature which I think is certainly deserving of being printed, at least, in the Legislative Journal.

We have in Schuylkill County a venerable gentleman by the name of Walter S. Farquhar. Primarily, he is a sports writer and a columnist for the Pottsville Republican. This morning, in mail, I received a letter, referring to the proposed State poem, enclosing a clipping from a column written by Walter S. Farquhar last week. Mr. Farquhar goes on to tell how he has traveled about the American West. He relates how thrilled he was at the hustling metropolis of Chicago, with its lake front skyline, which the Queen of England so admired on her recent visit. He saw the booming city of Denver and other growing communities. He gazed at mighty Pike's Peak, visited the Garden of the Gods and drank mineral water at Manitou Springs. However, he said that the finest sight which he saw in all his travels was the beautiful, soft green hills of Pennsylvania on the homeward trip.

He also wrote in his column the following:

"Transcontinental travelers cannot escape it.
As they traverse the flat midlands of the United States, the contrast is striking when the gentle hills of Pennsylvania come in view. It brings a thrill which cannot be forgotten."

He said he has tried to express it in the following lines, in a poem which he heads, "Penn's Woods":

"There's a land which is verdant and fragrant,
Where the rivers are sparkling and clear
And the brooks gleam in gold, white and silver,
With evergreen borders, all year.

"In the old Appalachian Highlands,
Where hemlock and pine trees abound
And the foothills are clustered in laurel
And bright rhododendron is found.

"Let me live in the land of the Lehigh,
Where the farmlands are fertile and green
And the blossoms of flowering fruit trees
Are mingled with dogwood's white sheen.

"I'll abide by the side of the Schuylkill,
At the foot of conglomerate heights,
Where the air bears the scent of the woodlands
And fragrant arbutus delights.

"All's serene in the gentle, green mountains
And the lakes where the pond lily grows:
I'll be true to the blue Susquehanna
And the dales where the Delaware flows.

"Take me back to my own Pennsylvania:
To the sweet-scented land of my birth;
To the beautiful, wonderful woodlands:
The softest and fairest on earth."

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I would like to state that I understand that poem. While I am not sure that I would vote for it as the official Pennsylvania Poem, it is a poem which seems to me to reflect the spirit of Pennsylvania and is understandable.

I would also like to say, for the record, that I just had the privilege of listening to a poem by a Member of this Senate, Senator Blass. In my opinion, the quality of Senator Blass's poem was of a superior nature. I can understand it. Therefore, I would like to say to Senator Pechan that I am not totally beyond redemption in the matter of understanding culture, and that I can understand some poetry. At least, one Member of this Senate, in my opinion, is a possible candidate, if we have a State-wide competition, along with Senator Wagner's friend, as possibly being the Poet Laureate of Pennsylvania.

The PRESIDENT. Since the blue Susquehanna was mentioned, I will recognize the President pro tempore.

MOTION TO STRIKE FROM THE RECORD

Mr. TAYLOR. Mr. President, if I am in order, I would like to make a motion that these remarks of "Gracie's"—I thought Hurricane Gracie was over last night—be stricken from the record.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. It has been moved and seconded that the cultured and uncultured remarks in the Senate this morning, on the subject of poetry, be stricken from the record.

On the question,

Will the Senate agree to the motion?

Mr. WAGNER. Mr. President, will this mean that I will have to give this poem again two weeks from now?

The PRESIDENT. I would expect so, Senator Wagner. I would vote against the motion if I were you.

Mr. WAGNER. Seriously, Mr. President, I would very much like this to be in the Journal. I think I am in better voice this morning than I will be at any time from now until Christmas, and I would like this matter to be over and done with.

Mr. TAYLOR. Mr. President, I will accept an amendment that this be the only thing to appear in the Journal on this subject.

Mr. WAGNER. Mr. President, Senator Taylor said he would accept an amendment to his motion so that the part pertaining to the Schuylkill County poem, and its context, may be included in the record. I would ask for this exception and that this be considered as an amendment to his motion.

The PRESIDENT. Does Senator Van Sant second that motion?

Mr. VAN SANT. Yes, Mr. President. Lehigh was mentioned in the poem.

Mr. MAHADY. Mr. President, although we are striking from the record, I want to thank the Senators this morning for their discourse because I was enlightened. I found out that "Cavalcade of effigies" is a "Cavalcade of dummies," and that the interpretation officially now is that those are the eleven men who have no culture, including myself who voted against adoption of the poem.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, from my observation here today, it seems that we have a mutual admiration socitey. I agree that Senator Pechan has a problem with his enunciation, in addition to Senator Hays. As a matter of fact, when he was reading Mr. Dovenspike's letter over there, I understood him to say "Cavalcade of elephants."

In my discussion with him, I said, "You know, Senator Pechan, you better do something about your enunciation." He said, "Well, Bill, the trouble is that my plates are going to pieces and I am going to have to find a good dentist to replace them."

Mr. BERGER. Mr. President, this may be omitted from the record before I start, but I want to say that I resent that last remark because my dentures are very firm and I owe them all to Senator Pechan.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, St. Marys, Elk County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Alvin B. Coppolo, Esq., St. Marys, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman Snyder, 905 Mt. Holyoke Place, Swarthmore, Delaware County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable

Tributaries, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. J. McMahon, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from July 19, 1957, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred H. Cook, Sr., Beaver, Beaver County, for reappointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified.

DAVID L. LAWRENCE.

CORONER IN AND FOR THE COUNTY OF CRAWFORD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas H. Vetter, M. D., 1015 Limber Road, Meadville, Crawford County, for appointment as Coroner in and for the County of Crawford, until the first Monday of January 1960, vice Sherman L. Watson, M. D., resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson, P. O. Box 628, Philipsburg, Centre County, for appointment as Justice of the Peace in and for the Borough of Philipsburg, Centre County, to serve until the first Monday of January 1960, vice J. Russell Duck, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Melvin G. Riffer, 943 East Main Street, Clarion, Clarion County, for appointment as Justice of the Peace in and for the Township of Elk, Clarion County, to serve until the first Monday of January 1960, vice George A. Finefrock, resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Messrs. KOPRIVER, JR., FLACK and MURRAY read

in place and presented to the Chair Senate Bill No. 1215, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," regulating and requiring the labeling or marking of cigars, cigarettes, pipe, tobacco and other tobacco products and the packages in which they are contained.

Which was committed to the Committee on Rules.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1216, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment, construction, equipment and furnishing of a college in the Johnstown area.

Which was committed to the Committee on Appropriations.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1217, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," defining "motor-driven cycles" and providing for permits for their operation by persons fourteen to eighteen years of age.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, St. Marys, Elk County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Alvin B. Coppola, Esq., St. Marys, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman Snyder, 905 Mt. Holyoke Place, Swarthmore, Delaware County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable

Tributaries, for the term of four years and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. J. McMahon, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from July 19, 1957, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to hereby nominate for the advice and consent of the Senate Fred H. Cook, Sr., Beaver, Beaver County, for reappointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified.

DAVID L. LAWRENCE.

CORONER IN AND FOR THE COUNTY OF CRAWFORD

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas H. Vetter, M. D., 1015 Limber Road, Meadville, Crawford County, for appointment as Coroner in and for the County of Crawford, until the first Monday of January 1960, vice Sherman L. Watson, M. D., resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson, P. O. Box 528, Philipsburg, Centre County, for appointment as Justice of the Peace in and for the Borough of Philipsburg, Centre County, to serve until the first Monday of January 1960, vice J. Russell Duck, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

September 28, 1959.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Melvin G. Riffer, 943 East Main Street, Clarion, Clarion County, for appointment as Justice of the Peace in and for the Township of Elk, Clarion County, to serve until the first Monday of January 1960, vice George A. Finefrock, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars in increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 868

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 868.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 915, Printer's No. 1493, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1103

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1103.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Seyler,	Watkins,
Fleming,	McGinnis,	Shafer,	Weiner,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 274

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 274, entitled:

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 274

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 274.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel.
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 621

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 621.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the Report of Committee of Conference on House Bill No. 2237, Printer's No. 1758, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR
REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 660, Printer's No. 1569, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No 995, Printer's No. 1185, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR
BILLS ON THIRD READING AND
FINAL PASSAGE
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . ." further providing for the taking of exceptions to rulings of the trial judge.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of Health of the Commonwealth of Pennsylvania and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1105, Printer's No. 1426; and

Senate Bill No. 1112, Printers' No. 1427.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 308, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing the Pennsylvania State Police to charge a fee for accident investigating reports or portions thereof made available to interested persons.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 710), page 3, lines 6 and 7 by striking out "two dollars (\$2) which fee shall be retained by the Pennsylvania State Police," and inserting: "three dollars (\$3)."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 308, Printers' No. 333, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 899, Printer's No. 1055;

Senate Bill No. 1032, Printer's No. 1478; and

Senate Bill No. 1036, Printer's No. 1340.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1115, Printer's No. 1471, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1175, Printer's No. 1437, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1175, entitled:

An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1176, entitled:

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1187, Printer's No. 1450, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An act concerning devices bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof . . ." extending the provisions thereof to include political subdivisions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Fleming,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1438, entitled:

An Act amending the act of July 11, 1957 (P. L. 783) entitled "Fictitious Corporate Name Act" repealing the requirement that certificate of registration be cancelled after five years.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388) entitled "Administrative Agency Law" providing for the application of the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1725, entitled:

An Act authorizing the Department of Property and and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Polk Venango County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,

Fleming, McGinnis, Shafer, Wolfe,
Harney, McMenamin,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1730, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing the names of state penal and correctional institutions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1861, Printer's No. 1707, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 2075, Printer's No. 1180, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 2172, on third reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

be recommitted to the Committee on Rules.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 2218, Printer's No. 1677, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2265, entitled:

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law" creating and imposing duties on mine safety committees.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2267, entitled:

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law" providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2270, entitled:

An Act amending the act of June 2, 1891 (P. L. 176),

entitled "Anthracite Coal Mining Law," regulating the marking of the means of ingress and egress in mines.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154) entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such person.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 2319, Printer's No. 1695, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township, Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres more or less of land in Bensalem Township Bucks County and 13.34 acres more or less of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres more or less of land situate in Somerset Township Somerset County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,
Berger,	Kalman,	Mullin,
Blass,	Keller,	Murray,
Camel,	Kessler,	Pechan,
Chapman,	Koprivier, Jr.	Probert,
Confair,	Kromer,	Ripp,
DiSilvestro,	Lane,	Rooney,
Donolow,	Madigan,	Ruth,
Ehrgood,	Mahady,	Sarraf,
Elliott,	Mallery,	Scott,
Flack,	McCreesh,	Seyler,
Fleming,	McGinnis,	Shafer,
Harney,	McMenamin,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 117, Printer's No. 822; and

House Bill No. 203, Printer's No. 79.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMENDED

Mr. BERGER. Mr. President, I move that Senate Bill No. 301, on second reading, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing insurance for self-insurers for liabilities under the Pennsylvania Workmen's Compensation Laws and the Pennsylvania Occupational Disease Laws in certain cases.

be recommitted to the Committee on Insurance.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting motor vehicle operated by certain persons subject to the Public Utility Commission and certain Municipality Authorities from fees for certificates of title or registration.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 1, page 3, line 2, by striking out "(ACT NO. 32)" and inserting: "(P. L. 58)."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendments:

Amend Sec. 2, page 3, lines 16 and 17; page 4, lines 1 to 5, by striking out all of said lines and inserting:

"Section 2. Section 709 and 710 of the act are amended to read:

"Section 709. Motor Buses and Motor Omnibuses with Pneumatic Tires.—[The] Except as provided in section 710.1 the fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity and the following classes:

"Class	Seating Capacity	Fee
A	Five (5) passengers or less	\$25.00
B	More than five (5) passengers and less than eight (8) passengers	\$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers plus \$4.00 for each seat over seven (7) seats.	\$40.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in class E)	\$40.00
	plus \$4.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$10.00 for each seat over twenty-six (26)	
E	In excess of forty-four (44) passengers	\$300.00

"Section 710. Motor Buses and Motor Omnibuses with Solid Rubber Tires.—[The] Except as provided in section 710.1, the fee for annual registration of each motor bus, and motor omnibus with solid rubber or cushion rubber tires, shall be according to seating capacity and the following classes:

Class	Seating Capacity	Fee
A	Five (5) passengers or less	\$37.50
B	More than five (5) passengers and less than eight (8) passengers	\$45.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers plus \$5.00 for each seat over seven (7) seats	\$50.00
D	In excess of twenty-six (26) passengers (except as otherwise provided in Class E)	\$50.00
	plus \$5.00 for each seat over seven (7) seats to and including twenty-six (26) seats, plus \$12.50 for each seat over twenty-six (26)	
E	In excess of fifty-three (53) passengers when operated exclusively in cities ..	\$400.00

"Section 3. The act is amended by adding, after section 710, a new section to read:

"Section 710.1. Motor Vehicles Operated by Mass Transportation Systems.—The fee for annual registration of each motor bus and motor omnibus operated by mass transportation systems shall be one-half the fee prescribed for annual registration of motor buses and motor omnibuses in section 709 and section 710."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 3, page 4, line 6, by striking out "3" and inserting: "4."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. WADE, SHAFER and MALLERY offered the following amendments:

Amend Title, page 2, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)." Amend Title, page 2, last four lines of Title, by striking out "exempt—" in fourth from last line and all of last three lines, and inserting: "establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 446, Printer's No. 1323, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 2, page 2, lines 19 and 20, by striking out "one thousand nine hundred fifty-nine" and inserting: "1960."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 447, Printer's No. 481, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 448, on second reading, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act" providing under certain circumstances for the refund of taxes paid on fuel used in vehicles operated by certain persons subject to the Public Utility Commission or by certain Municipality Authorities.

be recommitted to the Committee on Highway for the purpose of further study.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act" providing under certain circumstances for the refund of taxes paid on fuels used in vehicles operated by certain persons subject to the Public Utility Commission and by certain Municipality Authorities and providing for deductions from the amount of moneys paid to counties.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 1, page 3, lines 1 to 5, page 4, lines 1 to 19, page 5, line 1, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendments:

Amend Sec. 2, page 5, line 2, by striking out "2" where it appears the first time, and inserting: "1." Amend Sec. 2, page 5, line 3, by striking out "of the". Amend Sec. 2, page 5, line 3, by inserting after "act": "of May 21, 1931 (P. L. 149), known as "The Liquid Fuels Tax Act,".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendments:

Amend Sec. 3, page 7, line 18, by striking out "3" and inserting: "2". Amend Sec. 3, page 7, line 19, by striking out "and". Amend Sec. 3, page 7, line 19, by inserting after "(P. L. 1776)": "and April 29, 1959 (P. L. 283)". Amend Sec. 3 (Sec. 10), page 8, lines 11 to 15, by striking out all of lines 11 to 14, and "of duties of" in line 15, and inserting: "less such amounts as represent the difference between the annual fees prescribed in sections 709 and 710 of "The Vehicle Code" and these fees charged pursuant to section 710.1 of "The Vehicle Code," for annual registration of each motor vehicle operated by". Amend Sec. 3 (Sec. 10), page 9, lines 5 to 9, by striking out all of said lines, and inserting: "the difference between the annual fees prescribed in sections 709 and 710 of "The Vehicle Code," and those fees charged pursuant to section 710.1 of "The Vehicle Code" shall be". Amend Sec. 3 (Sec. 10), page 12, line 8, by inserting after "balance" where it appears the first time: "which redistribution shall be effected within one hundred twenty (120) days of the date of either of said reports". Amend Sec. 3 (Sec. 10), page 12, line 8, by inserting after "balance" where it appears the second time: "in excess of fifty per cent (50%) of the receipts for the previous twelve months aforesaid".

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 4, page 20, lines 3 to 19, page 21, lines 1 to 19, and page 22, lines 1 to 9, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE, SHAFER and MALLERY offered the following amendment:

Amend Sec. 5, page 22, line 10, by striking out "5" and inserting: "3".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. WADE, SHAFER and MALLERY offered the following amendments:

Amend Title, page 2, lines 7 to 11 of Title, by striking out lines 7 to 10, and "and" in line 11. Amend Bill, page 2, last 8 lines, page 3, 1st to 13th lines, by striking out all of said lines.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 449, Printer's No. 1325, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 494, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the assignment of pupils.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 540, Printer's No. 171, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent

that House Bill No. 717, Printer's No. 616, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 734, Printer's No. 1693; and

House Bill No. 752, Printer's No. 433.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 759, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewerage treatment rentals or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" providing that such authorities shall pay there pro rata share of the expenses of water utilities incurred in providing such services.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 786, Printer's No. 895, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 794, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses and extending the provisions of the act to include violations at additional parks.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 795, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to

the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that Senate Bill No. 853, Printer's No. 1464, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 867, Printer's No. 1694, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 932, Printer's No. 1095, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 977, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing Boards of Trustees of State Teachers Colleges to enter in contracts for supplies and maintenance of buildings in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 998, Printer's No. 1673;

Senate Bill No. 1017, Printer's No. 1198; and

Senate Bill No. 1031, Printer's No. 1215.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1953 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 4 (Sec. 319), page 15, line 12 by inserting after "from": "[a disability]"; Amend Sec. 4 (Sec. 319), page 15, line 13 by underscoring "an injury by accident"; Amend Sec. 4 (Sec. 319), page 15, line 18 by inserting after "disability": "[was]"; Amend Sec. 4 (Sec. 319), page 15, line 18 by underscoring "were."

They were agreed to.

The section was agreed to as amended.

The fifth section and title were read and agreed to.

And said bill having been read at length the second time as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1059, Printer's No. 1470, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

Senate Bill No. 1110, Printer's No. 1495;

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1136, Printer's No. 1373, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1168, entitled:

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682)

entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that Senate Bill No. 1181, Printer's No. 1443, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions

of any person with respect to the disposition of any part of his remains to an eye bank.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1198, Printer's No. 1755, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1205, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payment to joint boards under certain conditions by the Commonwealth for the acceptance of non-resident pupils and providing for installment payments.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 1213, Printer's No. 1075;

House Bill No. 1380, Printer's No. 1767;

House Bill No. 1384, Printer's No. 1756; and

House Bill No. 1443, Printer's No. 573

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1472, entitled:

An Act authorizing the Department of Property and Supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 1639, Printer's No. 1396;

House Bill No. 1640, Printer's No. 1397; and

House Bill No. 1646, Printer's No. 1486

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1648, Printer's No. 1210, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 1942, Printer's No. 1154; and

House Bill No. 1977, Printer's No. 1708

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2033, Printer's No. 1675, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2210, entitled:

An Act amending the act of January 7, 1952 (P. L. 1841) entitled "Minor Judiciary Fee Bill" reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2211, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE CONCURRENT RESOLUTION No. 59

CALLED UP

Mr. BERGER. Mr. President, I call up, from page 23 of today's Calendar, House Concurrent Resolution No. 59, Printer's No. 1533.

The PRESIDENT. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study laws relating to the exercise to condemn property for public purposes

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT

RESOLUTION No. 59

Mr. BERGER. Mr. President, I move that the Senate do concur in this resolution.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURRENT RESOLUTION No. 82

CALLED UP

Mr. BERGER. Mr. President, I call up, from page 23 of today's Calendar, House Concurrent Resolution No. 82, Printer's No. 1616.

The PRESIDENT. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Joint State Government Commission to make a study of the "Fire and Panic Act"

On the question,

Will the Senate concur in the resolution?

**SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION No. 82**

Mr. BERGER. Mr. President, I move that the Senate do concur in this resolution.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 480, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring the erection of certain warning signs on State highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1789, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), adding to and redefining the powers and duties of the Department of Public Instruction with respect to libraries; and authorizing regional library resource centers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147), entitled "An act fixing the compensation of persons called

to serve as coroner's jurors, in this Commonwealth," increasing the compensation of certain coroner's jurors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2361, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, . . ." providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE MESSAGE

**HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 2100**

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessment; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; * * *

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE
BILL No. 2100

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL SIGNED

The President (Lieutenant-Governor John Morgan

Davis) in the presence of the Senate signed the following bill:

Senate Bill No. 920, Printer's No. 1083.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, October 13, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:14 o'clock, a. m., Eastern Standard Time, until Tuesday, October 13, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

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HARRISBURG, PA., TUESDAY, OCTOBER 13, 1959.

No. 101.

SENATE

TUESDAY, OCTOBER 13, 1959

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. MAX BURTON CONLEY, Pastor of Appleby Manor Memorial Presbyterian Church, Ford City offered the following prayer:

Let us pray.

Our Father Who art in heaven and on earth, bestow upon these Thy servants gathered here, at the beginning of this day, that grace which shall keep us in the fellowship of Thy good pleasure. Grant unto each one of us that heavenly guidance and control in all our labors, pleasures and trials, which shall maintain our hearts in peace with one another and with Thee. Graciously help and prosper us in the doing of our various duties with a willing and cheerful mind, and defend us all by Thy almighty power, both from inward evil and from outward harm, so that when the day is ended, it may not leave us in sorrow, strife or shame, but in true unity and thankful rest.

Give to each of us Thy mind and Thy spirit. Make us instruments of Thy peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

May we not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to the fullness of life.

May the glory of God shine in us as he has brought life and light alive in us. Sharpen our intellect, enlarge our vision, and deepen our conviction, for Thine is the Kingdom and the Power and the Glory, for ever and ever. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk preceded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr.

PECHAN, further reading was dispensed with, and the Journal was approved.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 141, 143, 309, 429, 684, 689, 814, 1002, 1064, 277 and 1065.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 141, Printer's No. 1166, entitled "An Act amending the act of June 24, 1937 (P. L. 2017), entitled 'County Institution District Law' increasing the powers and duties of institution districts."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 143, Printer's No. 1402, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 309, Printer's No. 1496, entitled "An Act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employees."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 429, Printer's No. 744, entitled "An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'Banking Code' further

providing for the making of loans on the security of real property by savings banks and authorizing savings banks to invest to a limited extent in banker's acceptance and bills of exchange."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 684, Printer's No. 745, entitled "An Act amending the act of April 13, 1943 (P. L. 49), entitled 'An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given' enlarging the investment powers of co-fiduciaries."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 689, Printer's No. 1435, entitled "An Act reenacting amending and revising the Act of April 6, 1953 (P. L. 3), entitled 'Uniform Commercial Code.'"

DAVID L. LAWRENCE.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 814, Printer's No. 1175, entitled "An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'Banking Code' further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trusts and judgments of record by banks and bank and trust companies."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1002, Printer's No. 1191, entitled "An Act amending the act of June 22, 1931 (P. L. 594), entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act deleting a route in Hanover Township Lehigh County.'"

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1064, Printer's No. 1262, entitled "An Act amending the act of May 25, 1933 (P. L. 1050), entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.'"

DAVID L. LAWRENCE.

October 7, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 277, Printer's No. 1428, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' increasing compensation and mileage rates for attendance at conventions for the election of county superintendents."

DAVID L. LAWRENCE.

October 7, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1065, Printer's No. 1263, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County."

DAVID L. LAWRENCE.

COMMUNICATIONS FROM THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF RAYMOND A. FISHER AS A MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 13, 1959, for the appointment of Raymond A. Fisher, Pittsburgh, Allegheny County, as a member of the State Board of Examiners of Architects, from October 24, 1958, for the term of six years and until his successor shall be appointed and qualified, for the reason that Mr. Fisher died on October 4, 1959.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

RECALLING THE NOMINATION OF VERNON M. WOOD, SR., AS A MEMBER OF THE STATE REAL ESTATE COMMISSION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 31, 1959, for the appointment of Vernon M. Wood, Sr., Harrisburg as a member of the State Real Estate Commission, from June 21, 1957, until September 21, 1959, and until his successor has been appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His

Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

BANKING BOARD

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate DeHaven Develin, President, The Bryn Mawr Trust Company, Bryn Mawr, Montgomery County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Norman T. Hayes, Rosemont, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Gerald Woomer, Reedsville, Mifflin County, for appointment as a member of the Board of Trustees of Shippensburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Hon. Paul S. Lehman, Lewistown, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Michael J. Harrington, 527 Gibbons Street, Scranton, Lackawanna County.

Edgar B. Cawley, 739 Orchard Street, Scranton, Lackawanna County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Jo Hays, 441 West Fairmount Avenue, State College, Centre County(for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Dr. John A. Mader, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE PENNSYLVANIA FISH COMMISSION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pennsylvania Fish Commission, until the second Tuesday of January 1966, and until their successors are appointed and qualified:

Joseph M. Critchfield, Confluence, Somerset County.

John W. Grenoble, Trindle Road, Mounted Route, Carlisle, Cumberland County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1961, and until their successors shall have been appointed and qualified:

William A. Sodeman, Dean, Jefferson Medical College, Philadelphia, Philadelphia County.

Charles S. Cameron, Dean, Hahnemann Medical College, Philadelphia, Philadelphia County.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Victor L. Farrell, 59 Crestview Boulevard, Warren, for appointment as Justice of the Peace in and for the Township of Pleasant, Warren County, to serve until the first Monday of January 1960, vice Casper W. Zinger, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry F. Kirst, Church Street, Moscow, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Moscow, Lackawanna County, to serve until the first Monday of January 1960, vice Walter R. Kirchner, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGE

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 959

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 959, entitled:

An Act relating to fish: and amending, revising, consolidating, and changing the law relating to fish in the inland waters and boundary lakes and boundary rivers of the Commonwealth.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 959

Mr. BERGER. Mr. President, I move that the Senate

insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUDGE OF THE MUNICIPAL COURT OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Juanita Kidd Stout, 1735 West Erie Avenue, Philadelphia 40, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia until the first Monday of January 1960, vice Hon. Herbert E. Millen, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lloyd W. Keiter, 311 Angle Avenue, Steelton, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Steelton, Dauphin County, to serve until the first Monday of January 1960, vice Rudolph P. Zlogar, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary C. Spanogle (Democrat), 80 North Second Street, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until her successor is duly appointed and qualified, vice Rev. Francis J. Heltshe, Chambersburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John E. Bailey, Esq., (Republican), 453 North West Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Rev. Gerald Hollingsworth, Waynesburg, resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Mr. SILVERT (By request) read in his place and presented to the Chair Senate Bill No. 1218, entitled:

An Act amending the act of May 14, 1949 (P. L. 1342), entitled "Dry Cleaning and Dyeing Law," changing requirements for dry cleaning and dyeing rooms, buildings and plants.

Which was committed to the Committee on Rules.

Mr. EHRGOOD read in his place and presented to the Chair Senate Bill No. 1219, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," changing the provisions relating to the report of nonpayment of judgments.

Which was committed to the Committee on Rules.

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, during the past recess of the Senate, a very dear friend of mine lost his life as the result of a runaway truck. This is not the first time this has occurred in my county. I introduced legislation exactly like that which I am about to introduce four years ago and two years ago. However, for some reason, it did not receive favorable action in committee.

This young man who was killed was one of our outstanding citizens. He was not only a success in business, but he was civic-minded and quite an athlete. The day before he was killed, he had taken his wife to the airport in Pittsburgh in order for her to fly to a hospital in Boston. Their child, who attends school, had no one to take care of her because the mother was in the hospital. Therefore, he went to meet her. On his way up a hill in West Kittanning, this runaway truck came down and ran into three automobiles. My friend was the unfortunate one inasmuch as the truck ran him over the bank and he was dead within a couple of hours.

Mr. President, I think something has to be done. This is not a problem which just arose because this young man had been a close friend of mine. Five years ago, Governor Leader was in Kittanning to make a political speech. He just missed this particular area by fifteen minutes, or he could have been a victim of a truck that came down off one of our hills approaching Kittanning. Therefore, I feel very strongly about this and I would suggest to my distinguished leader that when he gets this bill, he look it over very closely and report it out. I think this is much needed legislation.

This bill, Mr. President, provides for an auxiliary brake. If the one airbrake goes haywire, there would be another one there to take its place.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 1221, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

Which was committed to the Committee on Rules.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 1222, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Schuylkill County.

Which was committed to the Committee on Rules.

SENATE RESOLUTIONS

REQUESTING THE ATTORNEY GENERAL TO RENDER AN OPINION AS TO THE LEGALITY OF CERTAIN INSTITUTIONS WHO ARE MEMBERS OF THE WEST PHILADELPHIA CORPORATION TO RECEIVE AID UNDER THE GENERAL STATE AUTHORITY ACT

Mr. McCREESH offered the following resolution (Serial No. 73), which was read and referred to the Committee on Rules:

In the Senate, October 13, 1959.

Whereas, A corporation known as "The West Philadelphia Corporation," chartered in March, 1959, and incorporated July 9, 1959, is composed of various educational and charitable institutions, namely, The Presbyterian Hospital, Philadelphia College of Pharmacy and Science, The University of Pennsylvania, Drexel Institute of Technology and the Philadelphia College of Osteopathy; and

Whereas, One of the main purposes for which The West Philadelphia Corporation is formed is to acquire, improve and sell real estate which will empower it to develop and engage in industrial and commercial enterprises and thus enable it to enter into competition with private business enterprises; and

Whereas, The members of this corporation are institutions receiving financial aid from the State and are also entitled to General State Authority aid; and

Whereas, The General State Authority Act of 1949, as amended May 28, 1956 (P. L. 1761), provides as follows: " * * * * *; Provided, however, That the purpose and intent of this act being to benefit the people of the Commonwealth by, among other things, increasing their commerce and prosperity, and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises, none of the powers granted hereby (other than for the construction, improvement and maintenance of bridges) shall be exercised in the construction, improvement, maintenance, extension or operation of any project or projects which, in whole or in part, shall duplicate or compete with existing enterprises serving substantially the same purposes, * * *," therefore be it

Resolved, That the Attorney General shall render an opinion so as to advise the Legislature as to the legality of these institutions as members of the West Philadelphia Corporation to receive aid under the General State Authority Act.

CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE BERT BELL

Messrs. BARR, DONOLOW, SARRAF, TAYLOR and BERGER offered the following resolution (Serial No. 74), which was read, considered and agreed to:

In the Senate, October 13, 1959.

On Sunday, October 11, 1959, Bert Bell, the Commissioner of the National Football League, died while in attendance at a professional football game, a sport which owes much if its present popularity and success to the efforts of this man.

When Bell took over at "czar" in 1946, the National Football League was a mass of confusion and riddled with debt, and professional football was ridiculed as little more than a carnival with three or four featured players and a cast of lesser performers.

Under his rules and efforts, however, the league became well organized and prospered beyond the wildest dreams of the men who made Bell their boss, and professional football was elevated to the position of a major and popular sport.

The personable Commissioner, one of the best liked men on the American sports scene, was confronted with many crises during his regime which threatened to destroy the game he loved so well, but his understanding of the problems peculiar to his sport enabled him to overcome these problems and save the professional football game from oblivion.

It was Bell who introduced the player-draft system to pro-football, a system which provides for the equalization of teams and which is described as the saviour of the game.

Mr. Bell, a member of a prominent Pennsylvania family, was educated in Philadelphia, and was a graduate of the University of Pennsylvania, where he captained the football team. He entered the National Football League in 1933 as part owner of the Frankford Yellowjackets, and in 1940 he bought a half interest in the Philadelphia Eagles.

At the time of his death, Mr. Bell resided at 323 Haverford Avenue, Narberth, Montgomery County, Pennsylvania; therefore, be it

Resolved, That the members of this Senate pay tribute to Bert Bell who brought distinction and honor not only upon himself as a great leader in the sports world but also upon the Commonwealth of Pennsylvania as one of its leading citizens; and, be it further

Resolved, That the members of this Senate extend their deepest sympathies to his loved ones upon their recent loss and bereavement; and, be it further

Resolved, That copies of this resolution be sent to his wife, Frances Upton Bell, his two sons, George Upton Bell and John Bert Bell, Jr., and his daughter, Jane Bell.

REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown

Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester County, for use of the West Chester State Teachers' College.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

JUDGE OF THE MUNICIPAL COURT OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Juanita Kidd Stout, 1735 West Erie Avenue, Philadelphia 40, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia, until the first Monday of January 1960, vice Hon. Herbert E. Millen, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

June 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lloyd W. Keiter, 311 Angle Avenue, Steelton, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Steelton, Dauphin County, to serve until the first Monday of January 1960, vice Rudolph P. Zlogar, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary C. Spanogle (Democrat), 80 North Second Street, Chambersburg, Franklin County, for appointment as a member of the Franklin County Board of Assistance, until December 31, 1960, and until her successor is duly appointed and qualified, vice Rev. Francis J. Heltshe, Chambersburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

September 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John E. Bailey, Esq., (Republican), 453 North West Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Rev. Gerald Hollingsworth, Waynesburg, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF HOUSE BILL No. 2353

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476), entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be

charged, collected and paid for by counties for exemplification of certain military or naval discharges and certificates of service.

passed finally on October 1, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2, page 6, line 19, by inserting after "immediately": "and the provisions thereof shall be retroactive to October 1, 1959. "Any recorder of deeds who has heretofore collected a fee for an exemplification of a military or naval discharge or certificate of service obtained for the purpose of securing benefits under "Korean Conflict Veterans' Compensation Act" shall return the same to the person who made payment thereof."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS INTRODUCED AND REFERRED

Mr. HAYS. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. HAYS and SEYLER read in place and presented to the Chair Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1224, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing courses

of study requirements in the last five years of secondary school.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1225, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payments for vocational training on an experimental basis.

Which was committed to the Committee on Rules.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 915, Printer's No. 1493, on concurrence in House amendments, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2237

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CON- FERENCE ON HOUSE BILL No. 2237

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 2237.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, before we vote, I would like to say that I am going to vote "no" on this bill. I am in great sympathy with the purpose of the bill, but I feel that making this a felony rather than a misdemeanor, and the setting of the penalty at two years or \$2,000, is excessive.

For that reason, Mr. President, in spite of my agreement that the legislation is necessary—particularly the latter part of the bill which brings this in line with the court decision and makes this once again operative—I am compelled to vote "no" on the bill. I agreed with the form in which the bill passed this Senate. I cannot agree with the form in which it came from the House and which has been adopted in this Conference Report.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,	Silvert,	Scott,
Fleming,	McGinnis,	Stevenson,	Presiding Officer
Harney,	McMenamin,		

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

REVENUE BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 660, Printer's No. 1569, on final passage, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 995, as follows:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police and limiting the use of the moneys received from such contracts.

On the question,
Shall the bill pass finally?

Mr. WEINER. Mr. President, I believe when this bill was previously before us, I advised the Senate that the Commissioner of the State Police objected to this bill. He had a number of objections. I think, however, the one which he was mainly concerned with was that he would have to open his files and he was not prepared to do so at this time.

I also feel that this bill should have an amendment inserted into it; namely, that the money definitely go into the State Police Pension Fund. I do see in the bill that there is a provision made for some of this being done. However, I understand that this is not too clear. My understanding of that may not be absolutely correct. I did want to advise the Senate that the Commissioner of the State Police has expressed himself as being against this particular legislation.

I, therefore, bring that to the attention of the Members of the Senate and ask that they vote "no" on his legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Berger,	Kalman,	Mullin,	Wade,
Blass,	Keller,	Murray,	Wagner,
Camiel,	Kessler	Pechan,	Walker,
Chapman,	Koprivier, Jr.	Propert,	Watkins,
Confair,	Kromer,	Shafer,	Whalley,
Ehrgood,	Lane,	Stevenson,	Wolfe,
Elliott,	Madigan,	Taylor,	Scott,
Fleming,	Mallery,	Van Sant,	Presiding Officer
Harney,	McGinnis,		

NAYS—12

Barr,	McCreesh,	Ruth,	Silvert,
Hays,	Ripp,	Sarra,	Stiefel,
Mahady,	Rooney,	Seyler,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

REVENUE BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1105, on third reading, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Tax Act" imposing the tax on liquor and malt and brewed beverages at the retail level.

be recommitted to the Committee on Finance.

Mr. FLEMING. Mr. President, I second the motion.
The motion was agreed to.

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 308, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing the Pennsylvania State Police to charge a fee for accident investigation reports or portions thereof made available to interested persons.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,

Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 494, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the assignment of pupils.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 759, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewerage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" providing that such authorities shall pay their pro rata share of the expenses of water utilities incurred in providing such services.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. RIPP. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis,	McMenamin, Miller, Mullin, Murray, Pechan, Propert, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—2

Ripp,

Rooney,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 794, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses and extending the provisions of the act to include violations at additional parks.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 795, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Proper,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Proper,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 899, Printer's No. 1055, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Proper,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 977, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" authorizing Boards of Trustees of State Teachers Colleges to enter in contracts for supplies and maintenance of buildings in certain cases.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill which is before us today is one that has I think on its face, not many problems. However, if you look into this problem a little closer, I think it has some serious implications.

This bill would allow a Board of Trustees of a State Teachers' College to purchase supplies, furniture, furnishings or equipment of any kind where the contract for such purchase is \$500 or less. This, in itself, is not a serious problem when we look at it. However, suppose

this board makes six, seven or eight purchases of that type? You then would have a very tidy sum involved, and one which, I think, sort of abrogates the basic rule in the purchasing of supplies. The basic rule is that when you make mass purchases by a group for an entire series of offices, you save money generally, and the savings redounds to the entire Commonwealth.

When the Department of Property and Supplies purchases for eight or nine State Teachers' Colleges—and I believe I am correct in assuming that desks and chairs do not change for different activities, if we are talking about the general furnishings that befit offices or these areas—I think we would actually save money by mass purchases rather than through purchases made separately and apart by these units.

It might very well be that there is some red tape involved in this type of activity, but I think the savings that are incurred overshadow the amount of red tape that would be necessarily involved.

One other aspect of this bill which I think we cannot overlook is that when a State Teachers' College is going to make any kind of repairs, alterations or even do any construction, where the contract price is \$12,000 or less, they do not have to come under the supervision of the Department of Property and Supplies. I think you are opening a gate which is going to be difficult to close once it is opened, by allowing all of these units to again go back to the separate, independent operation which generally militates against having better things done for less money. We are dealing here with public funds, and in that area we ought to be doubly careful. If it means double checking on this type of activity and if it takes a little bit longer to get done, I think we should look into that area rather than to go out of it and later on find that we made a gross error.

I, therefore, ask my colleagues to vote "no" on this legislation.

Mr. BERGER. Mr. President, this bill seems to be consistent with the other actions which we have taken in the Senate this year permitting boards, councils and school boards to purchase supplies without advertising or going through the Department of Property and Supplies, up to a limited amount.

I think it is well understood that the Board of Trustees and other administrative boards, on the ground, can usually do somewhat better than if they have to go through the delay and the expense of advertising for this particular type of purchase.

I do not see any great harm in it. I realize that a problem can become involved. If there should be, I am sure that the Legislature will be prepared to deal with it when it arises.

Mr. WEINER. Mr. President, I would like to point out that we have done this only in matters that have dealt with counties and county money. These people are elected officials, and if they do wrong or do not handle the people's funds right, they can be voted out of office or recalled.

I think we have a little different problem here with the Board of Trustees. These are appointed by the Governor. They serve only at his pleasure and while they are behaving in office, so that we, as a body, do not have any way of recalling them, nor does the public have any way of recalling them. I have yet to come upon a

Board of Trustees that does not want the best things in life for its schools, and goes all out to get them.

This problem of a contract involving \$12,000 now and another contract of \$12,000 later, when multiplied, comes to a tidy sum of money. I, myself, am a little reluctant to relinquish the control that a central system offers in purchases and supervision. I think it bodes ill to turn this over to individuals who may or may not have the experience of the trained people in the department.

I am not seeking to see that the department has any more power than it now has. However, I think they have done well with what they have now, so why take it from them?

Mr. BERGER. Mr. President, my only comment on that is that I have found, and I believe it to be true, that Boards of Trustees are usually made up of pretty capably and interested people, who are usually alumni of the institution which they serve. They are quite meticulous in taking care of the business that is entrusted, and I am sure that under this bill there would be very little danger—no danger practically—of any misconduct or misapplication of the powers given to them.

Mr. LANE. Mr. President, I dislike to disagree with the Minority Leader. However, at this Session of the Legislature, we have authorized Authorities to purchase material and supplies without advertising, up to a limit of \$1,000. We have permitted townships and school boards to do the same thing. Teachers' Colleges, in my opinion, are institutions in localities which probably service four, five or six counties and, generally speaking, the members of the Boards of these Teachers' Colleges are outstanding individuals. They are confirmed by the Senate of Pennsylvania and their commission reads that they shall serve so long as they shall behave themselves well.

I cannot see too much wrong with this bill, because I believe what you are trying to do here is to bring about a little efficiency, locally, because there are bottlenecks. When you work through the Capitol Dome in Harrisburg, as far as Teachers' Colleges and small institutions are concerned, there is always a lot of red tape. It seems this would expedite things. I am not too much afraid of this. I think it is all right.

Mr. SEYLER. Mr. President, as the Minority Leader has pointed out, there is one significant difference between extending this privilege to these Boards, as compared to extending it to counties, townships, et cetera, and that is the fact that you have elected officials in those. Another significant difference is the fact that in those cases, the townships, boroughs, et cetera, are spending money which is raised locally by these same municipal officials; whereas, in this case, this is entirely money which is voted from State funds. I think this is a significant difference.

In addition to this, Mr. President, I would like to interrogate, for my own information, the Majority Leader.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. BERGER, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. SEYLER. Mr. President, first of all, I would like to ask the gentleman whether other institutions, which are operated by boards appointed by the Governor,—for example, institutions such as hospitals, et cetera—have this privilege extended to them in order for them, as boards, to purchase without the supervision of the Department of Property and Supplies.

Mr. BERGER. Mr. President, I would not attempt to answer that question categorically because I could not give a full answer from my own knowledge. I will say, however, that I would see no reason why the Boards of Trustees of State Hospitals should not have the right to purchase, in minor amounts, things that might be urgently and promptly needed.

Mr. SEYLER. Mr. President, I thank the gentleman for his answer. I would certainly say that if we are going to extend this privilege to the Boards of State Teachers' Colleges, certainly we should extend the same privilege to every board under the laws of the Commonwealth which operates an institution or a program.

This would mean that we would have a highly decentralized type of spending. I think everyone agrees to the advantages of mass buying, to the savings that could be made in that manner, and to the controls, in addition to that, which are exerted when you have centralized buying or centralized purchasing. If the gentleman's argument is good, then every single one of our boards, whether they operate institutions or programs for the Commonwealth, should have this same privilege. This seems to me to be moving to a chaotic condition.

I would like to ask the gentleman from Potter, Senator Berger, another question, Mr. President.

Mr. President, I would like to now ask the gentleman what the origin is of this bill. Was the bill requested by a particular Board of Trustees of a State Teachers' College?

Mr. BERGER. Mr. President, in order to answer that question, I would have to refer to the sponsor of the bill who is in the Senate Chamber. I have had no request, myself, from any particular Board of Trustees. However, in further answering the gentleman's question, I reiterate that I do not apprehend any great danger in this bill.

Mr. KESSLER. Mr. President, if I may make a brief statement, I think it may clarify the situation.

The State Teachers' Colleges have grown tremendously in the past several years. The delay in clearing any work which has to be done, even though it may be of an emergency nature, through the Department of Property and Supplies is taking so much time that some of the Presidents of the State Teachers' Colleges suggested—and I think they are in agreement with this—that they should be allowed to contract for some roof repairs, certain painting and things like that, without going through the routine and the red tape which is involved in getting approval through the Department of Property and Supplies.

That is the sole purpose of this bill, Mr. President. I do not believe it will cause any harm because if they should overstep their bounds, I think we would know it in a relatively short time and could take corrective steps in the next Session of the General Assembly.

Mr. SEYLER. Mr. President, I thank the gentleman for his answer. Again, I say that my principal objection to this is that it would result in a decentralization of purchasing which, I think, would be undesirable from the point of view of economy for this Commonwealth. It would result in a chaotic situation, whereby we would lack the controls necessary for the efficient carrying on of the business of the Commonwealth and the expenditure of its funds.

Mr. WEINER. Mr. President, I would just like to point out to some of the gentlemen who have spoken that it is true that the people they put on these Boards are out-

standing members of their communities. Most of them are pillars of their communities. However, unfortunately, these people do not personally supervise every little detail, even though they take an interest in the schools themselves. They delegate that to someone. How do we control these people to whom they delegate? Suppose you have somebody who is not of the same frame of mind as the people who laid down the policy? Suppose the people carrying out the details do cut or turn a corner here or there. How do we get to them? How does this Body control them? What reason do we have to take it away from a system which is operating well and place it in an area which is unknown and unchartered? Why should we have to travel in those waters when we are already in a channel that seems to be working quite well and which seems to be very navigable?

Mr. LANE. Mr. President, in Senate Bill No. 977, Printer's No. 1149, on page 4, lines 5, 6 and 7, it specifically states that any construction or alterations may be generally supervised by the Department of Property and Supplies.

I wish to repeat, Mr. President, that in this Senate during this Session of the Legislature, we passed legislation permitting appointed Authority Members to spend up to \$1,000. I have had no requests from any Boards of Teachers' College, but I have had a request from the superintendent of a Teachers' College in regard to this legislation. There has been a delay at times when there was an emergency, such as a wind storm or that sort of thing, where the roof might have been partially blown off they were in a position where something had to be done very quickly. Unless they have the facilities to do this, it will mean a terrible loss to Pennsylvania.

Incidentally, all the money which is received by the State Teachers' Colleges is not from the Commonwealth of Pennsylvania. They also receive tuitions which help defray the over-all operation of a teachers' College.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Berger,	Hays,	McGinnis,	Van Sant,
Blass,	Kalman,	McMenamin,	Wade,
Camiel,	Keller,	Pechan,	Wagner,
Chapman,	Kessler	Probert,	Walker,
Confair,	Koprivier, Jr.	Ripp,	Watkins,
Ehrgood,	Kromer,	Shafer,	Whalley,
Elliott,	Lane,	Stevenson,	Wolfe,
Fleming,	Madigan,	Taylor,	Scott,
Harney,	Mallery,		Presiding Officer

NAYS—13

Barr,	Mullin,	Ruth,	Silvert,
Donolow,	Murray,	Sarraf,	Stiefel,
Mahady,	Rooney,	Seyler,	Weiner,
McCreesh,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law" requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications and imposing certain duties upon the Joint State Government Commission.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I think the sponsors of this bill should have changed the title. The title of this bill should have read: "The Abolition of the State Tax Equalization Board and everything seemed to be going along fine until the umpire called the wrong play. Now we are going to have the Joint State Government Commission superimpose itself over and above the State Tax Equalization Board. If you want to do that, I think you should introduce a bill to do away with the Tax Equalization Board and save ourselves all this time, effort and energy.

The amendments made to the bill would have the Joint State Government Commission to evaluate the work of the Tax Equalization Board and report its findings to the General Assembly. I do not think that was ever contemplated when the Tax Equalization Board was put into existence. Perhaps the money which we are putting out for the Tax Equalization Board should be abolished completely and put back into the budget. This seems to have been the general tenor of some of the cuts which were made in the original bill. This would follow in its wake, and we would have the Joint State Government Commission and no Tax Equalization Board, whatsoever.

If the Joint State Government Commission's purpose, as stated in the original Act, is to aid the General Assembly and to be a fact-finding body, I think it should not superimpose itself over and above this other board. If we do that, then anytime we become unhappy about the way a board is operating or conducting itself, we will only have to get the Joint State Government Commission to take over and remove the board. I do not think that is what is contemplated. I think this certainly runs counter to any of those ideas of the Legislature, and I surely think that this is not the vehicle to do away with the Tax Equalization Board. This is merely a veiled attempt to try to cut the heart out of the operation of that board.

Mr. BERGER. Mr. President, while I enjoyed the remarks made by the gentleman, I would have been more enlightened had he confined himself to the language of the bill.

There is nothing that I can read in this bill which imposes anything upon the Tax Equalization Board except the duty to inform the Joint State Government Commission when there is a contemplated change in the market value certifications of the previous years by five per cent or more, exclusive of changes attributable to new construction.

The amendment does not say anything about imposing any change on the Board. It simply says that the Commission shall evaluate the effect of the annual certifications upon the differently circumstanced school districts and report its findings and recommendations to the General

Assembly. As far as I can see, it does not interfere at all with the work of the Tax Equalization Board. However, it might result in some of the work being brought to the attention of the General Assembly, prior to any radical changes being made by the board.

Mr. LANE. Mr. President, I disagree with the Majority Leader. I think the purpose of this legislation, actually is to circumvent the work of the Tax Equalization Board by permitting this evaluation. This probably might be proper in the minds of some people. However, it seems to me that this Board has served a very useful purpose over the years. It is indicative to me that something is going on because they are cutting its budget to the point where it cannot operate. It seems that the Majority Party here is determined to probably liquidate the Tax Equalization Board.

The Joint State Government Commission is a fact-finding body and sometimes it does a good job and sometimes it does not, in my opinion. I do not feel that it has the special qualifications to evaluate the operations of the Tax Equalization Board and report here to the General Assembly, unless we add an additional unit in that department, made up of experts in that particular field. As of right now, I do not feel they are qualified to do this work. Even if they do evaluate the operations of the Board, it is not going to carry any weight. It is going to mean duplicate reports and it is going to mean more expense. I do not, therefore, think it is at all necessary. I believe we should defeat this bill here today and let the Tax Equalization Board do the job it is trying to do. In my opinion, they are doing a pretty decent job with the facilities they have.

Mr. WEINER. Mr. President, I would like to point out to the Majority Leader that suppose the Joint State Government Commission does evaluate this report made by the Tax Equalization Board and it does report to the General Assembly, and suppose the Tax Equalization Board disagrees with the Joint State Government Commission, then what do we do? Do we sit here as a body of judges and decide who is right and who is wrong? Is that our activity? It is within the purview of our minds here that the Joint State Government Commission sit as a super body on the boards and decide what they report and make a report based on the differences they might find?

I think it would serve our purpose better if we would say to the Tax Equalization Board, "You send us your figures when they differ and tell us why they differ. You carry out the prescribed duties as we have given them to you." I think this would be better than saying to the Tax Equalization Board that we are going to ignore what it has done and have the Joint State Government Commission look into this matter and advise us. I do not think we should say that if we like the advice given to us by the Joint State Government Commission, we will take that, and if we do not like it, we will do something else. I do not think it is our job to sit here as judges. I think these are fact-finding bodies which present the facts to us in order for us to operate on these facts. Otherwise, we are going to sit here and fight with the fact-finding bodies in order to find out what the facts are.

Mr. President, I ask my colleagues to vote "no" on this bill because I think it is confusing, and I think it does

not carry out the purpose which was originally intended by the Legislature.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Keller,	Propert,	Walker,
Chapman,	Kessler,	Shafer,	Watkins,
Confair,	Koprivier, Jr.,	Stevenson,	Whalley,
Ehrgood,	Kromer,	Taylor,	Wolfe,
Elliott,	Madigan,	Van Sant,	Scott,
Fleming,	Mallery,	Wade,	Presiding Officer

NAYS—20

Barr,	Lane,	Mullin,	Sarra,
Camiel,	Mahady,	Murray,	Seyler,
Donolow,	McCreesh,	Ripp,	Silvert,
Hays,	McGinnis,	Rooney,	Stiefel,
Kalman,	McMenamin,	Ruth,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1076, entitled:

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Stiefel,
Berger,	Kalman,	Murray,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camiel,	Kessler,	Propert,	Wade,
Chapman,	Koprivier, Jr.	Ripp,	Wagner,
Confair,	Kromer,	Rooney,	Walker,
DiSilvestro,	Lane,	Ruth,	Watkins,
Donolow,	Madigan,	Sarra,	Weiner,
Ehrgood,	Mahady,	Seyler,	Whalley,
Elliott,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Scott,
Fleming,	McMenamin,	Stevenson,	Presiding Officer
Harney,	Miller,		

NAYS—1

Mallery,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1115, Printer's No. 1471, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth class" changing certain fees fixed by the act

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Shafer,	Wolfe,
Flack,	McGinnis,	Silvert,	Scott,
Fleming,	McMenamin,	Stevenson,	Presiding Officer
Harney,	Miller,		

NAYS—1

Hays,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1163, entitled:

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing

penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency

And Said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Stiefel,
Berger,	Kalman,	Murray,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camel,	Kessler,	Propert,	Wade,
Chapman,	Koprivier, Jr.	Ripp,	Wagner,
Confair,	Kromer,	Rooney,	Walker,
DiSilvestro,	Lane,	Ruth,	Watkins,
Donolow,	Madigan,	Sarra,	Weiner,
Ehrgood,	Mahady,	Seyler,	Whalley,
Elliott,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,	Silvert,	Scott,
Fleming,	McGinnis,	Stevenson,	Presiding Officer
Harney,	Miller,		

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Stiefel,
Berger,	Kalman,	Murray,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camel,	Kessler	Propert,	Wade,
Chapman,	Koprivier, Jr.	Ripp,	Wagner,
Confair,	Kromer,	Rooney,	Walker,
DiSilvestro,	Lane,	Ruth,	Watkins,
Donolow,	Madigan,	Sarra,	Weiner,
Ehrgood,	Mahady,	Seyler,	Whalley,
Elliott,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,	Silvert,	Scott,
Fleming,	McGinnis,	Stevenson,	Presiding Officer
Harney,	Miller,		

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I want to call to the attention of the Members of the Senate that I, for one, am going to support this legislation.

I believe this is a nonbudgeted item for increasing the salaries here, which are deserving. However, I believe we should talk about the budget later on. I am calling to the attention of the Majority Party that this is a non-budgeted item. We should pass this legislation. We expect to have some co-operation in securing a little additional money to take care of these nonbudgeted items.

Mr. BERGER. Mr. President, we intend to support this legislation as stated.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler	Pechan,	Van Sant,

Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting associations of firemen.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1182, entitled:

An act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,

DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Rooney, Ruth, Sarraf, Seyler, Shafer, Silver,	Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, this is very meritorious legislation. I know that the George Jr. Republic School needs this \$50,000 for capital improvements.

I intend to vote for this legislation, too, and I expect some co-operation on the other side when it comes to paying the bill, the \$50,000.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming,	Harney, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Shafer, Silver, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—3

Hays,	Mahady,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1200, Printer's No. 1479, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1205, Printer's No. 1484, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1472, entitled:

An Act authorizing the Department of Property and Supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 1, line 4, by striking out "the" and inserting: "such"; Amend Sec. 1, page 1, line 4, by striking out "of one dollar" and inserting: "as may be agreed upon by the parties."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1472, Printer's No. 640, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silver, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—1

Madigan,

A majority of all the Senators having voted 'aye,' the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

AMENDMENTS OFFERED

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, ninth to twelfth lines of Title, by striking out "the" in ninth line, all of tenth and eleventh lines and "Mount Alto and" in twelfth line of Title; Amend Sec. 3, page 9, lines 13 to 19; page 10, lines 1 to 3 by striking out all of said lines; Amend Sec. 4, page 10, lines 7 to 18 by striking out all of said lines; Amend Sec. 5, page 10, line 19 by striking out "5" and inserting: "4".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the gentleman whether the amendments, as offered, would have the effect of removing the amendments which were inserted in the bill here a couple of weeks ago.

Mr. WEINER. Mr. President, in answer to the gentleman's question, this would restore the bill to the way it was when it came to us from the House.

Mr. BERGER. Mr. President, I request my colleagues to vote "no" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WEINER and Mr. HAYS, and were as follows, viz:

YEAS—20

Barr,
Camel,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarra,
Seyler,
Silver,
Stiefel,
Weiner,

NAYS—25

Berger,
Blass,
Chapman,
Confair,
Elliott,
Fleming,
Harney,

Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,
Mallery,
Pechan,

Propert,
Shafer,
Stevenson,
Taylor,
Wade,
Wagner,

Walker,
Watkins,
Whalley,
Wolfe,
Scott,
Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I believe it would not take a great deal of genius to read this bill and to realize that the amendments placed in it have subverted, to some extent, the very purpose that the department is anxious to carry out in this measure. This is an Administration measure and it is desired in order to get on with the problem, which is a serious one. It is one which affects people unfortunate enough to have a child in their family who has not progressed to the point where he is able to take care of himself and has become what is known as a "crib" case.

This is a serious matter, and I do not want to delay this bill. Knowing full well that this matter will be taken up by a Conference Committee, I am going to ask my colleagues to vote "aye" on this measure so that we can hasten the day when we can handle this problem and work on it.

Mr. BERGER. Mr. President, I do not intend to enter into any debate on this bill. However, I do want to point out that it was thoroughly debated in this Senate and the effect of the bill, as presently written, would appear to increase the number of available beds for the so-called crib cases, rather than defeat any purpose that the Public Welfare Department might have in mind.

Mr. WEINER. Mr. President, it is not my purpose to go into a great deal of detail. However, I fail to see that result from the amendments as they exist in this present bill, because this would allow for the continuation of the facilities at Mont Alto. It would also prevent any new tubercular patients being admitted. By the same token, you are also transferring this to the Department of Public Welfare from the Department of Health.

When you have a facility that you are going to use for one purpose, and you do not make it available for that purpose, I cannot see how you create more beds. What you are doing is creating less room or less area for anyone to move into it. If someone can explain that to me, I will be very happy to change my view and acknowledge that I have made an error.

Mr. ELLIOT. Mr. President, I do not want to prolong this discussion either.

Several weeks ago when this bill was first on the calendar, Senator Weiner asked why I requested the bill to go over in its order. I told him at the time that I hoped within twenty-four hours to amend the bill in such a fashion that it would be self-explanatory concerning why I had asked for the bill to go over. The next day, that particular amendment was offered.

I know that Senator Weiner, like many of us, has many obligations, many commitments, and on that particular day he could not be here when I did offer the amendment and the amendment was agreed to.

The amendment which I offered, Mr. President, and it is the only one on which I am speaking now, would transfer the Pennhurst State Annex from the Department of Health to the Department of Public Welfare. I should like to call to Senator Weiner's attention that the 415 mentally retarded cases which are now at Pennhurst State Annex would remain there—By this transfer, Mr. President, if the Miner State Hospital at Hamburg were transferred, too, from the Department of Health to the Department of Public Welfare, and the increase from 600 to 1,000 beds were allowed, the net gain would be 1,000 beds. If the 415 mentally retarded were moved from the Pennhurst State Annex to the Miner State Hospital at Hamburg, the net gain would be 585 beds.

Of course, this is a matter of people who are mentally ill or very, very unfortunate, but, at the same time, this one particular amendment, Mr. President, is a matter of arithmetic. It is providing for a net increase of 1,000 beds for the mentally retarded. I understand there are some 2,000 to 3,000 of these unfortunate people on the waiting list at the present time, as opposed to an increase of 585 beds.

I hope, Mr. President, that this might answer the question in Senator Weiner's mind, at least in so far as this one amendment is concerned.

Mr. ROONEY. Mr. President, we recently completed an investigation of the Department of Public Welfare. We went into this problem very thoroughly. I discussed the problem with the Secretary of Public Welfare and I discussed the problem with the Secretary of Health. This is the only practical means to a possible solution of the number of retarded children who are waiting today to get into State hospitals.

Today, in Pennsylvania, we have 11,000 retarded children. There is a waiting list of 3,000, and it is growing at a rapid rate of 100 every month.

They want to set up a hospital at Hamburg which can accommodate 1,000 bed patients of mentally retarded, and give them all of the accommodations and services which they need.

The way the bill is going to be passed in this Senate probably, you will have mentally retarded patients in the Pennhurst Annex, you will have the TB patients at Mont Alto, and you will have the intermingling of TB patients with the retarded children at Hamburg. I do not think that is any kind of a solution to the problem that is confronting us today.

Mr. WEINER. Mr. President, because this is such an important matter, I would like to read a short memorandum that I have received from the Department of Public Welfare. I do not believe I have read this to you before. "Crib Cases on the Waiting List" is the subject. I will not read all of the memorandum.

"We tabulated the number of retarded persons on the list for admission to a State institution from both the hard and soft coal counties. As you will see, of about 3,000 children on the list, 1,379 come from the coal counties alone. Of these 1,379, 677 are crib cases who are particularly hard to care for at home as they grow older physically and, therefore, larger and heavier.

"The transfer to this Department of the Hamburg Hospital would give us space for about 600 more crib cases. We cannot say that all of these admissions would come from the coal counties because we give priority to the hardship cases: the presence of small children in the family, the strength of the mother and the difficulty in handling the retarded child. We do assume, however, that some of those who would be admitted to Hamburg would come from the coal counties."

Then there is a tabulation of the number of people waiting to get in, and the number who are crib cases compared to the others.

Of the seventy-two, for example, in Washington County who are waiting to enter, thirty-nine are crib cases and thirty-three are ambulatory. In Blair County, of the sixty-three who are waiting to enter, thirty-nine are crib cases and twenty-four are ambulatory, and on and so forth. I will not take time to read all of the figures.

I think anything that we do to impede the use of these institutions or the space they have available for this type of tragedy, we are just creating for ourselves further problems that we will have to deal with at some later date.

Mr. BERGER. Mr. President, there is no question about it. We are all endeavoring to arrive at the best solution or, at least, an alleviation of a very, very serious and very harrowing problem.

I know that our intentions are all in that direction, and, therefore, I would suggest that we pass this bill and have it ironed out just as speedily as possible.

Mr. RUTH. Mr. President, I would like to call your attention to this condition. Under this bill, you are transferring the Hamburg Hospital from the Department of Health to the Department of Public Welfare. In the same bill, you are leaving part of the tuberculosis patients at Hamburg, and I do not believe the Department of Public Welfare is equipped to take care of them. You are taking them out of the Department of Health and putting them under the Department of Public Welfare. They are not equipped to take care of tuberculosis patients. That is the thing I am objecting to.

Mr. ELLIOTT. Mr. President, these amendments were discussed rather thoroughly a week or ten days ago, and the one amendment to which I am addressing myself, and the one amendment alone, is an amendment which would increase the beds and the space for the mentally retarded. It would increase the beds by 415, roughly, which are already in use at the Pennhurst State Annex.

I would be glad, if Senator Weiner would like to have me do so, to read to him the letters which I read on that day, which are a matter of record, from the Franklin County Medical Society, the Chambersburg Hospital staff and some of the employees of the Pennhurst State Annex, pointing out the meaningfulness and the importance of this particular operation since it was established by agreement between the two departments two years ago.

As far as this one particular amendment is concerned, as I recall, after the discussion, the amendment was agreed on unanimously. I assumed, therefore, that this was a matter of agreement among all of us because all of us, as Senator Berger so aptly pointed out a minute ago, are interested in one and the same thing, and that

is to provide as many beds as possible to care for these people who are literally waiting to get into those beds which we can provide for them.

Mr. WEINER. Mr. President, does it not seem a little strange that in a State where we have sixty-seven counties and one county objects, we then arrive at a situation that is sort of an impasse when we should be dealing with this entire problem and trying to solve it? If the Franklin County Medical Association has some problem about this, why do they not take it up with the department? What may have been true two years ago is not true today. If they are relying on an agreement they made two years ago, that is the situation which existed then and it is not the one that exists at this moment.

This seems to be just peculiar to this particular area. Perhaps they do have a problem, and I am sympathetic to that problem. However, I think it behooves all of us as members of the board of directors of this large corporation to deal with the problem as it affects the majority of the people, and to worry about their problem and not some particular little group that may have some sort of feeling about this thing. I do not say that their feeling is wrong. I do not even say that what they are trying to do is wrong. However, I think when you disregard what the majority of the people are trying to do—we are trying to help the group which needs the help most, and who are unable to help themselves—you are disregarding the entire welfare of the community, that community being this State.

Mr. ELLIOTT. Mr. President, if one of the officers of that board had been present at the directors' meeting, ten days or two weeks ago, he would have heard that this is not a particular problem of a locality. This is simply a desire of people who are interested—certainly, I would not say that they are any more interested, but I can say, without argument, they are as interested in the over-all problem as anyone else—to maintain not a project in which they have a personal relationship, but maintain 415 beds and provide 1,000 extra. It is just a question of providing, Mr. President, extra beds. As I said, I do not like to get it down to arithmetic, but the idea is to expand, as I understand it, the Miner State Hospital, at Hamburg, from a 600-bed capacity hospital to a 1,000-bed capacity hospital. If you move 415 from one place to another and subtract that from 1,000, you have a net gain of 585. If you leave the 415 and have the 1,000, you have a net gain of 1,000.

I think, perhaps, it is my fault for not making this as clear as I should, but it is a question of everybody trying to do I think the same thing, and that is to provide beds for these people who really need them.

Mr. SEYLER. Mr. President, in my opinion, Senator Elliott is talking double talk. It is a very high grade of double talk, but it is still double talk. He knows that no additional facilities are going to be provided and, therefore, the total amount of bed space is limited.

If you turn over the whole institution at Hamburg to the retarded children, and if you also keep the present group of retarded children at Mont Alto, then it is obvious that you must find something to do with the patients who are now at Hamburg. The gentleman did not mention that. In other words, if you put them at Mont Alto, it is obvious you are going to have that many less

beds at Mont Alto for the mentally retarded. You cannot possibly do what Senator Elliott said you are going to do, unless you throw the people who are now in the Hamburg Hospital out in the street.

However, the serious thing about what Senator Elliott proposes to do, I think, is that you are going to end up with two institutions, neither of which is going to be as effective in carrying out their purpose. You are going to have two institutions, both with divided purposes and both operating two different types of treatment. The net result will be poorer treatment, poorer care, in my opinion, for these retarded children and for these afflicted miners. That, I think, is the serious part of this proposal. However, I am going to vote for the bill in order to move it to a Conference Committee so we can get somewhere. I am perfectly content to do that.

Mr. ELLIOTT. Mr. President, I think the last remark made by the good Senator from York is probably as reasonable and plausible as any of us, including myself, have made, and that is to vote for the bill, get it moving and get it going where we can get a really and truly satisfactory and honest solution to the problem.

I would like simply to say just two things, Mr. President. First, with regard to the tubercular patients, if one were to take a census—I do not have the figures and information available which I had two weeks ago, when we discussed this bill and the amendment passed—I think one would find that there are now something in the neighborhood of 150 or 200 tubercular patients at Miner State Hospital, some having already been transferred to the Samuel G. Dixon Hospital, some having been transferred to other sanatoria, and that the sanatoria are still not operating at ninety, ninety-three or ninety-five per cent capacity. It is the hope that these people, who would have to be moved, could be moved into those beds which are available in the State Tuberculosis Hospitals.

Secondly, Mr. President, the reason why I mentioned on this floor again the references from the Medical Association and the hospital staff was, as I said two weeks ago, because I am not a person, as a layman, to make any medical or professional judgment on the type of work which is being done at Pennhurst State Annex. For the last two years, there have been two separate operations on the hill in Mont Alto, Pennsylvania; namely, one has been a tubercular one and one has been a mental health one. It was the Medical Association—and not "Doug" Elliott—and the Chambersburg Hospital staff, consisting of professional people, who said this was one of the finest operations for the care of the mentally retarded in the State of Pennsylvania. That was my purpose for mentioning that. It is not that they had such a strong personal interest in it and did not want to let it go, but simply that this was a professional judgment of the kind of operation which is at Pennhurst Annex and which has been going on for two years, in the same place, with one a tuberculosis care center and the other a mentally retarded care center.

Perhaps, now I can join with my good friend from York, Senator Seyler, and say that possibly we can vote on the bill and vote favorably because we are all interested in the same problem.

Mr. WEINER. Mr. President, I just hope that the gentlemen who occasionally come in here to observe us were

listening when Senator Elliott was speaking. They will realize that he is just not an ordinary Senator because he knows the plural of the word "sanatorium," which is "sanatoria." I think we should pass this bill and get it to a Conference Committee.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1993, entitled:

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarraf,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Scott,
Harney,			Presiding Officer

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

And said bill having been read at length the third time: On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2, page 2, line 3, by inserting after "to": "and allocated by"; Amend Bill, page 2, by inserting after line 8: "Section 3. This act shall take effect December 1, 1959."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2021, Printer's No. 1122, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2075, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The military Code of 1949" providing for promotions for certain retired persons.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2210, entitled:

An Act amending the act of January 7, 1952 (P. L. 1841) entitled "Minor Judiciary Fee Bill" reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2211, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2218, Printer's No. 1677, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2319, Printer's No. 1695, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 117, Printer's No. 822; and

House Bill No. 203, Printer's No. 79.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1509;

Senate Bill No. 447, Printer's No. 1508;

Senate Bill No. 449, Printer's No. 1507;

House Bill No. 480, Printer's No. 1527;

House Bill No. 540, Printer's No. 171;

House Bill No. 717, Printer's No. 616; and

House Bill No. 734, Printer's No. 1693.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 752, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the inclusion of costs of treasurers' bonds and auditing of treasurer's accounts in estimates of costs of educating handicapped children and providing for reimbursements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" providing the ratio of supervisors to teachers when the salaries of supervisors are included in budgets subject to approval by the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 867, Printer's No. 1694; and

Senate Bill No. 932, Printer's No. 1095.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 998, Printer's No. 1673, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1198, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1031, Printer's No. 1215, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1110, Printer's No. 1495;

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1136, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing that persons participating in any sport or activity for recreation or exercise shall not be taxed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1181, entitled:

An Act amendig the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1198, Printer's No. 1755, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1213, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" changing requirements for admission or determination of certain patients further regulating the payment of costs for the care of such patients and limiting liability for such payment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1380, Printer's No. 1767;

House Bill No. 1384, Printer's No. 1756; and

House Bill No. 1443, Printer's No. 573.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance

and expiration dates of operator's licenses in accordance therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1639, Printer's No. 1396;

House Bill No. 1640, Printer's No. 1397;

House Bill No. 1646, Printer's No. 1486;

House Bill No. 1648, Printer's No. 1210;

House Bill No. 1789, Printer's No. 847; and

House Bill No. 1942, Printer's No. 1154.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1977, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes imposing additional duties upon the Secretary of the Commonwealth various county boards of elections and election officers courts various registration commissions chairmen of political parties or committees and officers and employes certain political subdivisions further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel including their families in the event they are qualified electors further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers and providing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Clauses (w) and (x) of section" and inserting: "Section."

Amend Sec. 1, page 2, line 2; page 3, lines 1 and 2, by striking out "clause (w) re-" in line 2, page 2; all of lines 1 and 2, page 3, and inserting: "is amended by adding at the end thereof a new subsection to read."

Amend Sec. 1 (Sec. 102), page 3, lines 7 to 19; page 4, lines 1 to 20; page 5, lines 1 to 20; page 6, lines 1 to 19; page 7, lines 1 to 20; page 8, lines 1 to 4, by striking out all of said lines, and inserting:

"(y) The term "absentee elector" shall mean any qualified elector of this Commonwealth properly registered and enrolled who (1) on the occurrence of any election is unavoidably absent from his lawfully designated election district and outside of the county in which he is an elector by reason of his duties, business or occupation, or who (2) on the occurrence of any election is unable to attend at his proper polling place by reason or illness or physical disability but shall not

include a "qualified elector in actual military service" or a qualified bedridden or hospitalized veteran" as defined in this section, or any person committed to and confined in a penal institution or a mental institution."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 2, page 8, line 5, by striking out "Section 102 of the" and inserting: "The."

Amend Sec. 2, page 8, lines 5 and 6, by striking out "clause" in line 5, all of line 6, and inserting: "Article XIII-A, a new article to read."

Amend Sec. 2, page 8, lines 7 to 20; page 9, lines 1 and 2, by striking out all of said lines, and inserting:

"ARTICLE XIII-B

"Absentee Voting

"Section 1301-B. Absentee Electors.— Any absentee elector of this Commonwealth may vote under the provisions of this act in any election held in this Commonwealth. An absentee elector may vote only for such officers and upon such question as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner hereinafter provided.

"Section 1302-B. Form of Application. Certificate and Declaration.—The county board of elections shall prepare and have printed a form, all three parts of which shall be printed on one side of a sheet of paper not larger than eight and one-half inches by thirteen inches, as follows:

"Part 1. Application for Absentee Ballot (Voter: Complete two copies of Part 1, and deliver both to the Chief Clerk, County Board of Elections, in your county.)

"I declare that I reside at (post office address of applicant) in the (voting district or precinct) of the (city, borough, town or township) in County, Commonwealth of Pennsylvania: that I am a registered elector entitled to vote therein at the next election, that I am registered as a (if primary election, give party enrollment, otherwise, leave blank); and that I hereby apply for an official absentee ballot for the reason that (1) I expect to be unavoidably absent from said county on the day of such election because of duties, occupation or business: (2) I expect to be unable to attend my proper polling place on the day of such election because of illness or physical disability, on the advice of my physician whose signature appears below (mark out the reason not applicable).

..... (Date of Signature) (Signature of Applicant)

I declare that I have advised applicant as stated above. Send ballot to (fill in if applicant is in hospital, or confined away from residence).

(Signature of Physician)

(Required only if reason (2) is not marked out in application above).

"Part 2. Certification of Chief Clerk of County Board of Elections

"I certify that I have compared the foregoing signature of applicant with the signature of that name in the permanent registration records; that I am satisfied that applicant is entitled to vote as stated in the application above and have no reason to believe to the contrary; that I have this day issued to applicant an official absentee ballot, envelopes and this certificate; and that I have marked the district register accordingly, as prescribed by law.

.....
(Date of Issue) (Signature of Chief Clerk,
County Board of Elections)

"Part 3. Declaration of Elector (Voter: Complete this declaration after marking your ballot. Put your marked ballot in the small envelope. Seal the small envelope. Put the small envelope and this paper in the large envelope. Seal the large envelope and mail it.)

"I declare that I am the applicant whose signature appears in Part 1 hereof, that I, and I alone, have marked the official absentee ballot issued to me; and that I have not, and will not, cast any other ballot in the election to which said official absentee ballot pertains.

.....
(Date of Signature) (Signature of Elector)
Witness to elector's signature:

.....
(Signature of Witness)

"Section 1303-B. Manner and Time of Applying for Absentee Ballot.—(a) Except as hereinafter provided, any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county of his voting residence on the day of election because of duties, occupation or business shall apply therefor in person to the chief clerk of the county board of elections, and he shall then and there complete an original and a duplicate of Part 1 of the form prescribed by section 1302-B and deliver both copies of the form to the chief clerk. Any application for an official absentee ballot, assigning such reason and not delivered to the chief clerk as aforesaid, shall be void.

"(b) Any elector desiring an official absentee ballot for the reason that he expects to be unable to attend his proper polling place on the day of election because of illness or physical disability shall signify that desire to the chief clerk of the county board of elections in writing, signed by the elector, and delivered to the chief clerk by any means. Upon receipt of such writing the chief clerk shall mail to the elector, at the address stated in such writing, two copies of the form prescribed by section 1302-B. The elector shall complete an original and a duplicate of Part 1 of such form, and deliver both copies of the form to the chief clerk by any means.

"(c) Any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county of his voting residence on the day of election because of duties, occupation or business and who is or expects to be so unavoidably absent during the thirty days preceding the day of the election in which the ballot is cast shall signify that desire to the chief clerk of the county board of elections in writing, signed by the elector and delivered to the chief clerk by any means. Upon receipt of such writing the chief clerk shall

mail to the elector, at the address stated in the writing, two copies of the form prescribed by section 1302-B. The elector shall complete an original and duplicate of Part 1 of such form and deliver both copies to the chief clerk by any means.

"(d) Every application for an official absentee ballot, comprising the original and duplicate completed Part 1 on the form aforesaid, shall be delivered to the chief clerk no earlier than the thirtieth day and no later than the seventh day preceding the day of the election in which the ballot is to be cast. All applications received at other times shall be void.

"Section 1304-B. Issuance of Official Absentee Ballots, Envelopes, and Certificate.—Upon delivery to him of an application for an official absentee ballot as prescribed by section 1303-B, the chief clerk of the county board of elections shall compare the signature and voting residence of the applicant upon such application with the signature and voting residence of applicant in the permanent registration records of the board of registration commissioners; and if he is satisfied that applicant is entitled to vote as stated in the application and has no reason to believe to the contrary, he shall enter in ink on the appropriate district register, in the place provided to signify the applicant's having voted at the election, the letter "A"; and he shall sign Part 2 on both the original and duplicate of the application, and he shall hand or mail to the applicant the following:

"(a) One official absentee ballot, which shall be in the same form as regular and official ballots except that it shall be printed upon blue paper and shall have printed on the back thereof, in addition to any other matter now required by law, the words "Official Absentee Ballot."

"(b) A gummed envelope approximating the size known commercially as number six and three-quarters with the words "Official Absentee Ballot" printed upon it, and nothing else. Such envelope is hereafter referred to as the first envelope.

"(c) The original of the form prescribed by section 1302-B, Parts 1 and 2 of which shall have been completed as aforesaid.

"(d) A gummed envelope approximating the size known commercially as number ten, on which there shall be printed as addressee the name and post office address of the county board of elections, and in the upper left corner the words "Absentee Voter." Such envelope is hereafter referred to as the second envelope.

"Section 1305-B. Balloting and Mailing.—The elector to whom an official absentee ballot shall have been issued may cast the ballot in the following manner and not otherwise:

"(a) He shall, in secret, mark the ballot with blue, black or blue black ink in fountain pen or ball point pen or indelible pencil.

"(b) He shall place the marked ballot in the first envelope described in subsection (b) of section 1304-B, and seal the envelope.

"(c) He shall complete Part 3 of the form described in subsection (c) of section 1304-B, and have his signature witnessed by a subscribing witness as that part requires.

"(d) He shall place both the form and the sealed first envelope containing the marked ballot in the second envelope described in subsection (d) of section 1304-B.

"(e) He shall seal the second envelope, affix the necessary first class mail postage thereto, except in cases where postage is not required, and mail it in sufficient time that the day of the postmark thereon shall not be later than the day of the election in which the ballot is to be cast.

"Section 1306-B. Absentee Voter's List.—Not less than five days preceding the election, the chief clerk shall prepare from the duplicates of completed Parts 1 and 2 of the forms retain by him a list for each election district showing the names and post office addresses of all voting residents thereof to whom official absentee ballots shall have been issued. Each such list shall be prepared in duplicate, shall be headed "Persons in (give identity of election district) to whom absentee ballots have issued for the election of (date of election)" and shall be signed by him. Not less than four days preceding the election he shall post the original of each such list in a conspicuous place in the office of the county election board and see that it is kept so posted until the close of the polls on election day. He shall cause the duplicate of each such list to be delivered to the judge of election in the election district, in the same manner and at the same time as are provided in this act for the delivery of other election supplies; and it shall be the duty of such judge of election to post such duplicate list in a conspicuous place within the polling place of his district and see that it is kept so posted throughout the time that the polls are open.

"Section 1307-B. Canvassing of Ballot.—The county board of elections upon receipt of a sealed second envelope shall keep it safely and shall deliver it, unopened, to the return board when it convenes to canvass the vote according to law. The return board shall reject, and mark "Rejected," without opening, any such envelope bearing no postmark or bearing a postmark later than the day of the election. After opening the remaining such envelopes, it shall reject and mark "Rejected" the contents of any such envelope if (a) it contains either more or less than the contents prescribed by subsection (d) of section 1305-B; or the form referred to in subsection (c) of section 1305-B shall not be complete and regular on its face; or (c) the signature of the applicant in Part 1 of such form does not correspond with the signature of the elector in Part 3 thereof. If the return board shall be satisfied that the contents meet the requirements prescribed therefor, it shall announce the name of the voter of the absentee ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as the elector could have been challenged had he presented himself in his own district to cast his ballot. If there are no challenges, the form and the first envelope bearing the printed words "Official Absentee Ballot" shall be separated and such envelope together with all similar envelopes so separated shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom. The return board shall then break the seals of such envelopes and record the ballots in the same manner as the election officer records votes and in so canvassing said votes the return board shall count the votes of all absentee electors taken as herein provided and add the same to the total result of the election in the county, district, precinct,

or ward accordingly as designated on each ballot.

"Section 1308-B. Ballots to be Public Records.—The ballots after being opened and duly counted by the return board, together with completed forms received therewith are hereby designated and declared to be public records and shall be safely kept in the custody of the county board of elections for the period of two years and in case of a contested election the same may be opened and counted as in other cases."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 3, page 9, lines 3 and 4 by striking out "Subsection (c) of section 305 of the act reenacted and" in line 3, all of line 4 and inserting: "Article XVIII of the act is amended by adding after section 1852, a new section to read:"; Amend Sec. 3, page 9, lines 5 to 20; page 10, lines 1 to 12 by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 4, page 10, lines 13 to 19; page 11, lines 1 to 20 and page 12, lines 1 to 5 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 5, page 12, lines 6 to 20; page 13, lines 1 to 3 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 6, page 13, lines 4 to 20; page 14, lines 1 to 3 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 7, page 14, lines 4 to 20; page 15, lines 1 to 20; page 16, lines 1 to 7 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 8, page 16, lines 8 to 20; page 17, lines 1 to 19 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 9, page 18, lines 1 to 19; page 19, lines 1 to 20; page 20, lines 1 to 20; page 21, lines 1 to 19; page 22, lines 1 to 20; page 23, lines 1 to 20; page 24, lines 1 to 19; page 25, lines 1 to 20; page 26, lines 1 to 20; page 27, lines 1 to 10 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 10, page 27, lines 11 to 19; page 28, lines 1 to 20; page 29, lines 1 to 19; page 30, lines 1 to 14 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 11, page 30, lines 15 to 20; page 31, lines 1 to 20; page 32, lines 1 to 20; page 33, lines 1 to 18; page 34, lines 1 to 19; page 35, lines 1 to 20; page 36, lines 1 to 20; page 37, lines 1 to 20; page 38, lines 1 to 19; page 39, lines 1 to 20; page 40, lines 1 to 20; page 41, lines 1 to 19; page 42, lines 1 to 20; page 43, lines 1 to 19; page 44, lines 1 to 15 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 12, page 44, lines 16 to 19; page 45, lines 1 to 6 by striking out all of said lines and inserting:

"Section 1853. Violations of Provisions Relating to Absentee Electors' Ballots.—If any person shall sign an application for absentee ballot or declaration of elector on the form prescribed by section 1302-B, knowing any matter declared therein to be false, or shall vote any ballot other than one properly issued to him, or vote or attempt to vote more than once in any election for which an absentee ballot shall have been issued to him, or shall violate any other provisions of Article XIII-B of this act, he shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or be imprisoned for a term not exceeding two years, or both, at the discretion of the court.

"If any chief clerk or member of a board of elections, member of a return board or member of a return of registration commissioners shall neglect or refuse to perform any of the duties prescribed by Article XIII-B of this act or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of Article XIII-B of this act or shall count an absentee ballot knowing the same to be contrary to Article XIII-B or shall reject an absentee ballot without reason to believe that the same is contrary to Article XIII-B or shall permit an elector to cast his ballot at a polling place, knowing that there has been issued to the elector an absentee ballot he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000) or be imprisoned for a term of one year, or both, at the discretion of the court."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 13, page 45, lines 7 to 9 by striking out all of lines 7 and 8 "All other" in line 9 and inserting: "Section 4. All."

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 14, page 45, line 11 by striking out "14" and inserting: "5."

It was agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 15, page 45, line 14 by striking out "15" and inserting: "6."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendment:

Amend Title, page 2, first to sixteenth lines of Title, by striking out "authorizing and providing procedures whereby certain" in first line, and all of second to sixteenth lines of Title, and inserting: "providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes, and providing for powers, duties and penalties in relation thereto."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,
Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 1708, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2033, Printer's No. 1675; and

House Bill No. 2134, Printer's No. 1119.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2335, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2355, Printer's No. 1641, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employees' Retirement Code of 1959" making technical changes and clarifying language.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1, page 1, line 1 by inserting after "302": "and subsection (4) of section 405."

Amend Sec. 1, page 1, line 3 by striking out "is" and inserting: "are."

Amend Bill, page 2, by inserting between lines 7 and 8:

"Section 405. Disability Allowances.—

* * *

"(4) Should a physician or physicians designated by the retirement board report and certify to the retire-

ment board that a disability annuitant is no longer physically or mentally incapacitated for the performance of duty or that such disability annuitant is able to engage in a gainful occupation and should the retirement board concur in such report, then the amount of the State annuity shall be discontinued or reduced to an amount that shall be not in excess of the amount by which the amount of the [last year's] mandated salary of the annuitant as a school employe to which he would have been entitled had he remained in school service exceeds his present earning capacity."

* * *

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendment:

Amend Title, page 1, third line of Title, by inserting after "thereto": "further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation,".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2361, Printer's No. 1666, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2365, Printer's No. 1670, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 1110 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 14 of today's Second Reading Calendar, Senate Bill No. 1110, Printer's No. 1495, which previously went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1110, on second reading, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" making it unlawful for manufacturers importing distributors or distributors to sell malt or brewed beverages at less than cost or at prices established with intent to injure competitors further defining powers and duties of the board prescribing penalties and providing procedures.

be recommitted to the Committee on Law and Order.
Mr. PECHAN. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania school for the Deaf at Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester County, for the use of the West Chester State Teachers College.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE

Mr. BARR. Mr. President, I request a leave of absence for myself for tomorrow and the following day's Session, due to a death in the family.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the leave of absence is granted.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 96, 397 and 755

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 96, Printer's No. 1429, entitled "An Act amending the act of May 5, 1933 (P. L. 289) entitled 'Nonprofit Corporation Law' changing permissible corporate names and changing the law with respect to devices bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial ground or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 397, Printer's No. 1431, entitled "An Act amending the act of April 18, 1945 (P. L. 253) entitled 'An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees' extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 755, Printer's No. 1432, entitled "An Act amending the act of May 26, 1949 (P. L. 1828) entitled 'Fiduciaries Investment Act of 1949' increasing the investment powers."

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Committee to State Council of Education, until terminated:

Mario C. Celli (Architect) 336 Fifth Avenue, McKeesport, Allegheny County.

Clifford L. Coleman (Architect) 400 Main Street, Landisville, Lancaster County.

John Hunter, Jr. (Architect) 3601 Fifth Avenue, Altoona, Blair County.

John S. Carver (Architect) 110 Montgomery Avenue, Bala Cynwyd, Montgomery County.

Edwin W. Werle (Architect) 407 Commerce Building, Erie, Erie County.

Ralph D. Horsman (School Administrator) Superintendent of Schools, Mt. Lebanon Township School District, Pittsburgh 28, Allegheny County.

John H. Linton (School Administrator) Superintendent of Schools, Penn Hills School District, Pittsburgh 35, Allegheny County. John M. Hickey (School Administrator) Superintendent of Schools Erie City School District, Erie, Erie County.

Harry E. Seyler (Educator) Principal, Hannah Penn Jr. High School, York, York County.

Michael Duda (Educator) President, California State Teachers' College, California, Washington County.

John T. West, Jr., Secretary, Pennsylvania Society of Professional Engineers, 2236 North Second Street, Harrisburg, Dauphin County.

DAVID L. LAWRENCE.

The PRESIDING OFFICER. At this time, the Chair would ask the President pro tempore of the Senate, M. Harvey Taylor, to approach the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bill:

Senate Bill No. 1103, Printer's No. 1776.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, October 14, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:47 o'clock, p.m., Eastern Standard Time, until Wednesday, October 14, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, October 13, 1959

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everliving God, we are aware of Thy providential care over the life of each one of us, and we come to Thee in this hour in thanksgiving for the great heritage which is ours from the past. Help us to never forget the sweat and toil expended by our forefathers to make this nation great, and especially for the wise counsel and foundation stones which have made Penn's Woods the Keystone State. O God, we pray that, as Thou dost lay heavily the responsibility for administering the affairs of this Commonwealth upon the shoulders of these Representatives, Thou wilt also grant them Thy power and guidance to spend themselves in Thy great service. In Jesus' precious name. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday, September 2, Wednesday, September 9, Thursday, September 10 and Monday, September 14, 1959? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 30, 1959 will be postponed until printed.

The Chair hears none.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Varallo for MRS. MONROE for today on account of illness.

Mr. Stoner for MR. LIPPINCOTT for today.

Mr. Stoner for MR. P. G. MURRAY for the week.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1963, entitled:

An Act amending the act of December 22, 1951 (P. L. 1715), entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the

assessment and retention of fines for absence of councilmen from meetings "removing the maximum limitation on salaries of councilmen.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2171, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards * * *.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2386, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 261, entitled:

An Act relating to the practice of massotherapy providing for the examination licensing registration and regulation of practioners of massotherapy creating the State Board of Massotherapy Examiners defining its powers an duties conferring powers and imposing duties upon the Department of Public Instruction and fixing penalties for violations.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act amending the Public Assistance Law" approved June 24, 1937 (P. L. 2051), increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" further regulating school bus lighting equipment.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the payment of salaries of professional employes in cases of sickness accidental injury or death.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2316, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

The first section was read.

On the question,

Will the House agree to the section?

Mr. STIMMEL offered the following amendments:

Amend Sec. 1 (Sec. 699.10), page 2, line 1, by striking out "699.10" and inserting "699.11."

Amend Sec. 1 (Sec. 699.10), page 2, lines 8 to 13, by striking out all of said lines, and inserting "The provisions of this section shall not affect the right of any person who, in connection with a sale of property or services or any credit transaction, shall have, retain, or acquire an insurable interest in any subject of insurance related to such sale or transaction, including person or property or risk pertaining thereto, to procure and maintain insurance embracing any or all insurable interests in such subject or to agree to do so, and neither such insurance nor the procurement or maintaining thereof or agreement to procure or maintain the same shall be construed to be an inducement to purchase."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2366, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2367, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), providing that the commission allowed to recorder of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties and requiring recorders of deeds to act as such agents.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2387, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), authorizing adoption of uniform standards and specifications for establishment construction reconstruction maintenance and repair of highways and authorizing research planning and programming of highways.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. COMER. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2388, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing acquisition of property necessary for present or future highway purposes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COMER offered the following amendment:

Amend Section 226, Page 5, Lines 16 and 17, by striking out after the word "But" in Line 16, the following words: "if the Department has made a physical entry."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissioners to make recommendations in relation thereto.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

BILL PASSED OVER

There being no objection

Senate Bill No. 648, Printer's No. 1491 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DEVLIN offered the following amendments:

Amend Sec. 1 (Sec. 54), page 2, line 14, by inserting after "court" "or in counties of the second class within six months of the commitment for treason or felony or other indictable offenses."

Amend Sec. 1 (Sec. 54), page 2, line 18, by inserting after "commitment" "or in counties of the second class if such prisoner shall not be indicted and tried within six months after his or her commitment."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN and ANDREWS.

HOUSE BILL No. 2417.

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955), providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Referred to the Committee on Rules.

By Mr. BELL and Mrs. VARALLO.

HOUSE BILL No. 2418.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing that a pupil may be excused from the reading of the Holy Bible upon the written request of a parent or guardian.

Referred to the Committee on Rules.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1723.

An Act making an appropriation to the Department of Mines and Mineral Industries to be used by the Coal Research Board for research and development of a process for the use of coal for road building material and other uses and purposes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL PASSED OVER

There being no objection

House Bill No. 578, Printer's No 1765

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 2396, Printer's No. 1763, and

House Bill No. 2399, Printer's No. 1764

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission * * * authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

RECONSIDERATION OF VOTE

Mr. CcCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, sixth and seventh lines of Title, by striking out "the caucus chairman of each house" and inserting: "each member of the executive committee."

Amend Title, page 1, last line of Title, by striking out "executive."

Amend Sec. 1 (Sec. 1), page 2, lines 15 to 18, by striking out "the chairman of the majority and minority" in line 15, all of lines 16 and 17, and "committee" in line 18, and inserting: "each member of the executive committee may appoint a temporary substitute to serve in his stead as a member of the committee. Such substitute shall be a member of the same house and serve at the will of the member appointing him.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 298, entitled:

An Act to select and adopt the Beagle as the State dog of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JIM. Mr. Speaker, House Bill 298, on which we are about to vote, is one of the shortest bills, I believe, that has been presented in this House during this Session. There are just three lines in connection with the Bill.

Section 1. The Beagle is hereby selected and adopted as the State dog in the Commonwealth of Pennsylvania.

With that in mind, it is a bill that will cost the state no money; it is not going to hurt anybody; it is going to make 900,000 hunters very happy if the Beagle is adopted as the state dog. All we have to do if this bill is enacted into law is insert the dog in this little Pennsylvania pamphlet.

In regard to the Beagle, I got in touch with the Joint State Government Commission and here is what they tell me about the Beagle:

As per your request of September 30, 1959, be advised as follows:

"1. The American Kennel Club advises us that, as of August 30, 1959, there were 4,460,625 dogs registered; of this number, 2,322 were Great Danes and 680,434 were Beagles. Numerically, the Beagle ranked first and the Great Dane twenty-ninth.

2. A sample check of license required by Pennsylvania for dogs six months of age or older showed that currently there are approximately 74 Beagles for every Great Dane licensed.

Another reason I am for this dog becoming the state dog is the Pennsylvania Federation of Sportsmen, 894 clubs in 61 counties, with 163,000 members, are in favor of this bill. The state federation position favors the Beagle being the state dog. With that, I ask the Members of the House to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—81

Balthaser,	Goodrich,	McInroy,	Scarcelli,
Boles,	Guthrie,	Magee,	SchAAF,
Bonner,	Hamilton,	Mahan,	Seltzer,
Boris,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stevens,
Buchanan,	Holt,	Mills,	Stone,
Burns,	Horst,	Munley,	Sullivan,
Capano,	Jim,	Needham,	Taylor,
Comer,	Johnson, R.,	O'Neill,	Trusio,
Crossin,	Jones, F. R.,	Perry, H. H.,	Walsh,
Curwood,	Jump,	Petrosky,	Wargo,
Donahue,	Kelser,	Polaski,	Whittaker,
Edwards,	Kessler,	Polen,	Williams, E. S.,
Eshback,	Korns,	Prendergast,	Willard,
Ewing,	Kovolenko,	Pursley,	Willaredt,
Farabaugh,	Kubitsky,	Reidenbach,	Wynd,
Fetterolf,	Lee, K. B.,	Rovansek,	Yatron,
Filo,	Lopresti,	Royer,	Yetter,
Fineman,	McCandless,	Sakulsky,	Zimmerman,
Garlock,			

NAYS—111

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCann,	Rigby,
Arlene,	Galley,	McCormack,	Riley,
Ashton,	Gallagher,	McDonald,	Schuster,
Auker,	Gelfand,	McKeever,	Schwartz,
Barton,	George,	McLaughlin,	Sherman,
Bell,	Gibb,	Machmer,	Shupnik,
Blair,	Goldstein,	Markley,	Stank,
Bower,	Gramlich,	Miller, B. Z.,	Steckel,
Bowman,	Heavey,	Miller, H. G.,	Stewart,
Brown,	Heffner,	Muldowney,	Stimmel,
Capitolo,	Holliday,	Mullen,	Stoner,
Cianfrani,	Irviss,	Murphy, A. J., Jr.,	Tompkins,
Cioffi,	Isaacs,	Murphy, P. J.,	Ujobal,
Clarke,	Jenkins,	Murray, H. P.,	Varallo,
Davis,	Johnson, A. W.,	Murray, J. J.,	Varnier,
Dengler,	Jones, T. H. W.,	Musto,	Verona,
Dennison,	Kamyk,	Naugle,	Wall,
Devlin,	Kee,	Nelson,	Weidner,
Donaldson,	Kernaghan,	O'Dell,	Welsh,
Down,	Knecht,	O'Donnell, J. A.,	Wescott,
Eilberg,	Kooker,	Odoriso,	Wheeler,
Eshleman,	Kornick,	Ogilvie,	Williams, A. D., Jr.,
Floyd,	Lamb,	Parlante,	Wilt,
Flynn,	Lee, A. M.,	Pashley,	Wood,
Foerster,	Leonard,	Perry, P. E.,	Worley,
Fox,	Light,	Price,	Andrews,
Frank,	Lulgard,	Reibman,	Speaker

NOT VOTING—16

Branca,	Limper,	Moran,	Silverman,
Cooper,	Lippincott,	Murray, P. G.,	Strausser,
Dennis,	Maxwell,	O'Donnell, J. P.,	Stroup,
Dougherty,	Monroe,	Rudisill,	Thompson,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 478 on page 8 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 478, entitled:

An Act selecting designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker and Members of the House, I voted against the Beagle bill, and I intend to vote against this bill. If I were inclined to pick any dog as the state dog—if such a thing would be possible and practical, which it is not—I certainly would have voted for the Beagle.

I think it is one of the most ridiculous, most asinine things in the world that such bills ever came out of Committee to take up the time of this House voting on such trash legislation. It is just not worth while.

Mr. McCANN. Mr. Speaker, every person is entitled to his opinion. The people who have worked for many years dealing with the adopting of the Great Dane as the official dog of the Commonwealth, I believe have been sincere people.

I am not here pleading the cause of this piece of legislation, but someone chastising because in his opinion such legislation in trash only reflects the opinion of that particular individual. I think we owe due respect to those people who year after year, Session after Session, came here and talked to you individually about this particular piece of legislation.

You may vote "No" or you may vote "Yes," but I think it helps resolve a situation. I think it is beneath the dignity of this House to engage in any barking or tantrums of any type on this legislation.

I ask that this legislation be voted on. Those who favor it vote for it, and those who oppose it vote in the negative.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—113

Agnew,	Frank,	McKeever,	Schwartz,
Anderson,	Frascella,	McLaughlin,	Seltzer,
Arlene,	Gallagher,	Markley,	Sherman,
Ashton,	George,	Miller, B. Z.,	Shupnik,
Bell,	Gibb,	Mills,	Snider,
Bonner,	Heavey,	Muldowney,	Stank,
Boris,	Holt,	Mullen,	Steckel,
Bower,	Horst,	Murphy, P. J.,	Stevens,
Brenninger,	Irviss,	Musto,	Stimmel,
Brown,	Isaacs,	O'Dell,	Stone,
Buchanan,	Jenkins,	O'Donnell, J. A.,	Stoner,
Capitolo,	Johnson, A. W.,	Odoriso,	Sullivan,
Cianfrani,	Johnson, R.,	O'Neill,	Taylor,
Cioffi,	Jones, P. R.,	Parlante,	Trusio,
Clarke,	Jump,	Pashley,	Ujobal,
Cooper,	Kamyk,	Perry, P. E.,	Varnier,
Curwood,	Kee,	Polaski,	Verona,

Dengler, Dennison, Devlin, Donaldson, Dougherty, Down, Ellberg, Fetterolf, Fineman, Floyd, Flynn, Foerster,	Kernaghan, Kooker, Kornick, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lopresti, Lutty, McCann, McCormack,	Polen, Price, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanssek, Sakulsky, Scarcell, Schuster,	Walsh, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Willaredt, Wilt, Worley, Yatron, Andrews, Speaker
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NAYS—77

Auker, Balthaser, Barton, Blair, Boles, Bowman, Breth, Burns, Crossin, Davis, Donahue, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fox, Fulmer,	Galley, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Jim, Kelser, Kessler, Knecht, Korns, Kovolenko,	Lee, A. M., Luigard, McCandless, McDonald, McInroy, Machmer, Magee, Mahan, Meholchick, Merry, Mihm, Miller, H. G., Munley, Murphy, A. J., Jr., Murray, H. P., Murray, J. J., Naugle, Needham, Nelson,	Ogilvie, Perry, H. H., Petrosky, Prendergast, Pursley, Royer, Schaaf, Snare, Stewart, Tompkins, Varallo, Wall, Wargo, Weidner, Williams, E. S., Willard, Wood, Wynd, Yetter, Zimmerman,
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NOT VOTING—18

Branca, Capano, Comer, Dennis, Jones, T. H. W.,	Light, Lippincott, Maxwell, Monroe, Moran,	Murray, P. G., O'Donnell, J. P., Rudisill, Silverman,	Strausser, Stroup, Thompson, Wescott,
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The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. I would just like to make one comment for thought, since the bill has already passed.

Just the other day we had the distinct honor of having the Governor of this Commonwealth sign into law a bill making the White-tailed Deer the official state animal. Now the one question I would like to have answered: What is the difference between an animal and a dog?

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 355, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GAILLEY. Mr. Speaker, I am sorry to be tardy in arising, but I just wanted to say a few words about this bill on the calendar before us.

I would just like to point out to the Members that there is no limitation whatsoever in this bill as to what dues might be decided upon by the local convention that the local townships might have to pay to their state association if they wanted to belong.

I suggest, Mr. Speaker, that many of these townships are working on a very close budget. They should have control themselves of what dues should be paid, and I think they look to us up here to protect them. I think it would be a very serious mistake for the House to pass this legislation, and I ask Members on both sides of the House to oppose it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Agnew, Anderson, Arlene, Ashton, Barton, Blair, Bonner, Boris, Bower, Bowman, Brenninger, Brown, Buchanan, Burns, Capano, Cloff, Curwood, Davis, Dengler, Dennison, Donahue, Donaldson, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf,	Flynn, Foerster, Fulmer, Gallagher, George, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Horst, Irvis, Johnson, A. W., Johnson, R., Jones, T. H. W., Jump, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns,	Kovolenko, Kubitsky, Lee, A. M., Lee, K. B., Limper, McCandless, McCann, McDonald, McInroy, Magee, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Murphy, P. J., Murray, H. P., Naugle, O'Dell, Odorisio, Ogilvie, Polen, Price, Pursley, Renwick, Royer,	Seltzer, Sherman, Shupnik, Snare, Snider, Steckel, Stimmel, Stone, Stoner, Tompkins, Trusio, Ujobal, Varnier, Wall, Walsh, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Zimmerman,
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NAYS—74

Auker, Balthaser, Bell, Breth, Capitolo, Cianfrani, Clarke, Comer, Crossin, Devlin, Ellberg, Farabaugh, Filo, Fineman, Floyd, Fox, Frank, Frascella, Galley,	Garlock, Gelfand, Goldstein, Heavey, Holt, Isaacs, Jenkins, Jim, Jones, F. R., Kamyk, Lamb, Leonard, Lopresti, Luigard, Lutty, McCormack, McKeever, McLaughlin, Mahan,	Mills, Mullen, Munley, Murphy, A. J., Jr., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Prendergast, Reibman, Reidenbach,	Rigby, Riley, Rovanssek, Sakulsky, Scarcell, Schaaf, Stevens, Stewart, Sullivan, Taylor, Varallo, Verona, Wargo, Welsh, Yatron, Yetter, Andrews, Speaker
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NOT VOTING—22

Boles, Branca, Cooper, Dennis, Dougherty, Kornick,	Light, Lippincott, Machmer, Monroe, Moran, Muldowney,	Murray, P. G., O'Donnell, J. P., Rudisill, Schuster, Schwartz,	Silverman, Stank, Strausser, Stroup, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. LOPRESTI IN THE CHAIR

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the

Committee on Highways to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 905, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—194

Agnew,	Frascella,	Lutty,	Rovansek,
Anderson,	Fulmer,	McCandless,	Royer,
Arlene,	Galley,	McCann,	Sakulsky,
Ashton,	Gallagher,	McCormack,	Scarcelli,
Auker,	Garlock,	McDonald,	Schaaf,
Balthaser,	Gelfand,	McInroy,	Schuster,
Barton,	George,	McKeever,	Schwartz,
Bell,	Gibb,	McLaughlin,	Seltzer,
Blair,	Goldstein,	Machmer,	Sherman,
Boles,	Goodrich,	Magee,	Shupnik,
Bonner,	Gramlich,	Mahan,	Snare,
Boris,	Guthrie,	Markley,	Snider,
Bower,	Hamilton,	Maxwell,	Stank,
Bowman,	Heavey,	Meholchick,	Steckel,
Brenninger,	Heffner,	Merry,	Stevens,
Breth,	Helm,	Mihm,	Stewart,
Brown,	Henzel,	Miller, B. Z.,	Stimmel,
Buchanan,	Hocker,	Miller, H. G.,	Stone,
Burns,	Holliday,	Mills,	Stoner,
Capano,	Holt,	Muldowney,	Sullivan,
Capitolo,	Horst,	Mullen,	Taylor,
Cianfrani,	Irvls,	Munley,	Tompkins,
Cioffi,	Isaacs,	Murphy, A. J., Jr.	Trusio,
Clarke,	Jenkins,	Murphy, P. J.,	Ujobal,
Comer,	Jim,	Murray, J. J.,	Varallo,
Crossin,	Johnson, A. W.,	Murray, H. P.,	Varnier,
Curwood,	Johnson, R.,	Musto,	Verona,
Davis,	Jones, F. R.,	Naugle,	Wall,
Dengler,	Jones, T. H. W.,	Needham,	Walsh,
Dennison,	Jump,	Nelson,	Wargo,
Devlin,	Kamyk,	O'Donnell, J. A.,	Weldner,
Donahue,	Kee,	Odorisio,	Welsh,
Donaldson,	Kelser,	Ogilvie,	Wescott,
Dougherty,	Kernaghan,	O'Neil,	Wheeler,
Down,	Kessler,	Parlante,	Whittaker,
Edwards,	Knecht,	Pashley,	Williams, A.D., Jr.,
Ellberg,	Kooker,	Perry, H. H.,	Williams, E. S.,
Eshback,	Kornick,	Perry, P. E.,	Willard,
Eshleman,	Korna,	Petrosky,	Willardt,
Ewing,	Kovolenko,	Polaski,	Wilt,
Farabaugh,	Kubitsky,	Polen,	Wood,
Fetterolf,	Lamb,	Prendergast,	Worley,
Filo,	Lee, A. M.,	Price,	Wynd,
Fineman,	Lee, K. B.,	Pursley,	Yatron,
Floyd,	Leonard,	Reibman,	Yetter,
Flynn,	Light,	Reidenbach,	Zimmerman,
Foerster,	Limper,	Renwick,	Andrews,
Fox,	Lopresti,	Rigby,	
Frank,	Luigard,	Riley,	Speaker

NAYS—1

O'Dell,

NOT VOTING—13

Branca,	Lippincott,	Murray, P. G.,	Silverman,
Cooper,	Monroe,	O'Donnell, J. P.	Strausser,
Dennis,	Moran,	Rudisill,	Stroup,
			Thompson,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1152, Printer's No. 1584

House Bill No. 1161, Printer's No. 1375 and

House Bill No. 1316, Printer's No. 1739

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1342, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) excepting certain clubs from the quota limitations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MCINROY. Mr. Speaker, Members of the House, this bill has been up on a good many occasions on this House floor and has been defeated.

There is a serious question as to the constitutionality of this bill. It exempts a certain group of clubs, the service or the veterans' clubs, from the provisions of the Liquor Control Act as to quota. It has been found through past experience that the quota is the best method of handling liquor licenses in the state of Pennsylvania, and because of the question of its constitutionality and because of the question of opening the quota, I request that the Members of the House vote down this bill. It is not that we are not sympathetic to the veterans and to the veterans' organizations, but if we open the quota in this we will be asked to open it in many other instances. I see no particular reason at this time to pass this bill.

Mr. A. J. MURPHY. Mr. Speaker, at the end of World War II, some eight million veterans were discharged from active service. Prior to that time we had very few servicemen forming our service organizations in this country. However, since World War II and even since the Korean War, a great many veterans' organizations have come into existence representing the younger servicemen who were discharged after those two great conflicts.

I am sure, if we are realistic we will recognize that to exist a club must have some type of income, some type of recreation for its members. I am not strictly a wet voter, on some issues I vote wet, on some I vote dry, but on this particular issue I urge the Members to vote on behalf of these organizations which have come into existence since the end of these two wars.

Under the existing quota system, the newly formed veterans' organizations have no opportunity to secure liquor licenses. We all know that in our municipalities, the Moose, the Eagles, the Elks and every other club has its license. Their members enjoy the recreational facilities provided by those licenses. However, the newly formed veterans' organizations cannot acquire them under the existing quota laws.

As far as the Constitution is concerned, I submit to the

Members that every question we pass upon here could be a question of constitutionality. We might run into that very same question with the fact that we have club licenses, that we have motel licenses, that we have beer licenses, that we have liquor licenses. We have them in different categories. This is merely creating an additional category under the quota system and exempting them from that system so that our veterans' organizations that have been newly formed may enjoy the same privileges as the other existing clubs now have.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—92

Anderson,	Frank,	McDonald,	Renwick,
Arlene,	Fulmer,	McLaughlin,	Riley,
Ashton,	Gallagher,	Machmer,	Royer,
Auker,	Gelfand,	Mahan,	Sakulsky,
Balthaser,	George,	Markley,	Scarcelli,
Bell,	Goldstein,	Maxwell,	Schuster,
Boles,	Hamilton,	Meholchick,	Shupnik,
Bonner,	Holt,	Mihm,	Snider,
Brown,	Irlis,	Mills,	Stank,
Capitolo,	Jim,	Mullen,	Steckel,
Cianfrani,	Jones, F. R.,	Munley,	Stevens,
Cloffi,	Jump,	Murphy, A. J., Jr.,	Stimmel,
Clarke,	Kamyk,	Murray, J. J.,	Stone,
Comer,	Kee,	Musto,	Sullivan,
Crossin,	Kornick,	Needham,	Taylor,
Curwood,	Kovolenko,	O'Donnell, J. A.,	Trusio,
Devlin,	Kubitsky,	O'Neill,	Ujobai,
Dougherty,	Lamb,	Pashley,	Verona,
Elberg,	Lopresti,	Perry, P. E.,	Walsh,
Fineman,	Luigard,	Petrosky,	Wargo,
Floyd,	Lutty,	Polaski,	Wheeler,
Flynn,	McCann,	Reibman,	Yatron,
Poerster,	McCormack,	Reidenbach,	Yetter,

NAYS—92

Agnew,	Fox,	Limper,	Schaaf,
Barton,	Galley,	McInroy,	Seltzer,
Blair,	Garlock,	McKeever,	Sherman,
Boris,	Gibb,	Magee,	Snare,
Bower,	Goodrich,	Merry,	Stewart,
Bowman,	Gramlich,	Miller, B. Z.,	Stoner,
Brenninger,	Guthrie,	Miller, H. G.,	Tompkins,
Breth,	Heffner,	Muldowney,	Varner,
Buchanan,	Helm,	Murphy, P. J.,	Wall,
Burns,	Henzel,	Murray, H. P.,	Weidner,
Capano,	Hooker,	Naugle,	Welsh,
Davis,	Holliday,	Nelson,	Wescott,
Dengler,	Isaacs,	O'Dell,	Whittaker,
Dennison,	Johnson, R.,	Odorisio,	Williams, A. D., Jr.,
Donahue,	Jones, T. H. W.,	Ogilvie,	Willard,
Donaldson,	Kelser,	Parlante,	Willaredt,
Down,	Kernaghan,	Perry, H. H.,	Wilt,
Edwards,	Kessler,	Polen,	Wood,
Eshback,	Knecht,	Prendergast,	Worley,
Eshleman,	Kooker,	Price,	Wynd,
Ewing,	Korns,	Pursley,	Zimmerman,
Farabaugh,	Lee, A. M.,	Rigby,	Varallo,
Fetterolf,	Leonard,	Rovansek,	Andrews,
Filo,			Speaker

NOT VOTING—24

Branca,	Jenkins,	Monroe,	Silverman,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Dennis,	Lee, K. B.,	Murray, P. G.,	Stroup,
Frascella,	Light,	O'Donnell, J. P.,	Thompson,
Heavey,	Lippincott,	Rudisill,	Williams, E. S.,
Horst,	McCandless,	Schwartz,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), including certain diseases of fire-fighters within the meaning of the term occupational disease.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, I would request that one of the sponsors of the bill give us a brief explanation of this bill, please.

The SPEAKER pro tempore. The gentleman from Dauphine, Mr. Bowman, has asked for an explanation of the bill by one of the sponsors. The Chair recognizes the gentleman from Washington, Mr. Capano.

Mr. CAPANO. Mr. Speaker, may I inquire from the gentleman, what was his question?

Mr. BOWMAN. I merely requested, Mr. Speaker, a brief explanation of the purpose and content of the bill.

Mr. CAPANO. The purpose of the bill, I believe, is exactly as it is stated in the bill itself, that is, to include into the occupational diseases as compensable diseases, the heart and lungs resulting in either temporary or permanent disability, so as to include men who are engaged in fire fighting, who may become subject to some over-exertion in time of stress or when fighting fires inhale smoke and fumes. I understand these men are more subject than any other group to contacting lung and respiratory conditions and also more subject to heart conditions. So, they would like to have themselves included under the Act as compensable.

Mr. BOWMAN. Mr. Speaker, I would like to interrogate Mr. Capano.

Is the language found in this bill the same as the language contained in the Act of 1935 which provides that city policemen and firemen suffering certain disabilities on duty can continue to receive their pay?

Mr. CAPANO. That I could not answer. I am not familiar with the Act of 1935.

Mr. BOWMAN. I thank the gentleman.

Mr. Speaker, I have not had an opportunity to study this bill and I would have liked to have had an answer to this particular question.

There is an Act known as the Act of 1935 which provides with respect to policemen and firemen that during the periods they suffer certain types of disabilities they shall continue to receive their pay and shall be also entitled to recompense from the city or municipality for any and all medical and hospital bills incurred incident to such disability. I am not here in opposition to this bill. I merely asked the question whether this bill covers the same subject-matter which is presently covered by the Act of 1935, and until that question is answered I do not feel that I can intelligently vote upon this bill.

Mr. CAPANO. Mr. Speaker, while I said I was not familiar with the Act of 1935, I do recall some phase of that Act. I thought that was only providing for compensation, or rather, the wages that were earned during the specific time, and this, of course, is for permanent relief, where a person becomes totally disabled, and covers a period that extends beyond that limited time as it is covered by the Act of 1935. Nevertheless, you could not receive both. If he is receiving his salary or his regular

wage he could not receive compensation, unemployment or occupational disease compensation.

Mr. BOWMAN. The gentleman is correct to the extent that if a city or municipal fireman or policeman is receiving compensation under the existing Workmens' Compensation or Occupational Disease Law, the city is entitled to a refund or a subrogation, as we say in the law, of that amount of money. In other words the individual policeman or fireman cannot collect twice. I am quite aware of that provision.

I am also aware of the provision that the relief afforded by the Act of 1935 is designated as temporary. However, it lasts as long as there is this disability but does not include permanent disability. I am aware of that.

The question, precisely that I am interested in, however, is whether it covers precisely the same disability in this bill as under the Act of 1935, and that is the question I would like to have answered for the simple reason that the city of Harrisburg under the Act of 1935, has had some question as to whether it is also covered by the Occupational Disease Law.

Mr. CAPANO. Mr. Speaker, if the request of the gentleman is that he would like to have the bill go over so that he could inquire further into it, I have no objection to having the bill put on the postponed calendar, if the gentleman would make the motion.

Mr. BOWMAN. I thank the gentleman and it will only take me one day's time to check this.

BILL POSTPONED

Mr. BOWMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth with the establishment of a Board to hear such claims providing for appeals to the Supreme Court providing for salaries of the members of the Board the procedure to be followed and further providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 103, page 4, line 15, by striking out "AN EMPLOYEE" and inserting: the appointee.

Amend Sec. 701, page 16, line 7, by inserting after "act": including payment of the salary of the executive secretary.

Amend Bill, page 16, by inserting after line 11: Section 702. So much of the appropriation made to the Department of the Auditor General for the administration of the Board of Arbitration of Claims as may be expended as of the effective date of this act shall lapse.

Section 703. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unani-

mous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, third line of Title, by inserting after "Court": prescribing powers and duties of the Board.

Amend Title, page 1, fourth line of Title, by striking out "of the Board" and inserting: thereof.

Amend Sec. 201, page 7, line 2, by inserting after "pensation": or any claim under the Pennsylvania Occupational Disease Act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 401, page 13, line 14, by striking out "Court of Common Pleas of Dauphin County" and inserting: court of common pleas of the county in which the claimant resides or in which he has his principal place of business.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. TOMPKINS. Mr. Speaker, these amendments, the bill as drafted provides that appeals from this board of contract claims shall be taken to the Commonwealth Courts of Dauphin County. These amendments take that jurisdiction away from Dauphin County and place it in the courts where the case arose or where the principal place of business of the party might be.

The purpose of this amendment—I have no objection and I am not trying to belittle the Commonwealth's court in Harrisburg or in Dauphin County—but so often and too often people are unable to travel to Harrisburg to defend themselves and get their right justice because of the expense involved. If this is placed back into the hands of the county courts instead of on appeals in Dauphin County courts, we believe people will have better protection in their rights before the courts on the expense angle and they can better afford then to defend themselves.

Mr. McCANN. Mr. Speaker, I rise to oppose the third set of amendments offered by the gentleman from Cameron, Mr. Tompkins.

In the proposed legislation, House Bill 2209, the appeals would be taken to the court of common pleas of Dauphin County, or commonly known as the Commonwealth court, which means that all appeals would be heard here in the

Commonwealth court instead of being heard in each of the respective counties.

Mr. Speaker, I ask that we oppose these amendments offered by the gentleman from Cameron, Mr. Tompkins, pertaining to the court procedure.

On the question recurring,

Will the House agree to the amendments?

A division was called for, seventy-eight Members having voted in the affirmative and eighty-five in the negative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2299, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating restrictions as to speed.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) authorizing tax collectors to deduct commissions from taxes which he has collected.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last two lines of Title, by striking out all of said lines and inserting: "requiring taxing bodies to pay commissions and expenses to tax collectors within a stated time."

Amend Sec. 1 (Sec. 32), page 2, lines 6 and 9, by striking out the bracket before "It" in line 6 and after "possession" in line 9.

Amend Sec. 1 (Sec. 32), page 2, lines 9 to 12, by striking out "The collector of taxes shall collect the taxes charged" in line 9, and all of lines 10 to 12 and inserting: "The taxing district shall pay the tax collector his commissions and expenses within sixty days after he has remitted to the taxing district the tax money paid to him."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" further regulating taxes on the transfer of real property and imposing penalties for the recording of taxed documents without the proper stamps affixed thereto.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, next to last line of Title, by inserting after "stamps" "or other evidence of payment."

Amend Title, page 2, last line of Title, by inserting after "thereto" "or stamped thereon."

Amend Sec. 1 (Sec. 1), page 5, line 10, by inserting after "stamps" "or other evidence."

Amend Sec. 1 (Sec. 1), page 5, line 11, by inserting after "thereto" "or stamped thereon."

Amend Sec. 2 (Sec. 4), page 6, line 13, by striking out "shall" and inserting: "may."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 301), page 2, line 13, by striking out "issues" and inserting: "issues."

Amend Sec. 1 (Sec. 301), page 2, line 15, by striking out "person" and inserting: "resident of Philadelphia."

Amend Sec. 1 (Sec. 301), page 3, line 3 and 4, by striking out "if the person is a resident of Philadelphia,"

Amend Sec. 1 (Sec. 301), page 3, line 5, by inserting after "court": "by a resident of Philadelphia."

Amend Sec. 1 (Sec. 301), page 3, line 7, by inserting after "proceeding": "the petition."

Amend Sec. 1 (Sec. 301), page 3, line 8, by striking out "if the person is a resident of Philadelphia."

The SPEAKER pro tempore. Will the House give unan-

imous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 403) page 3, line 11, by striking out "CONSTRUCTION."

Amend Sec. 1 (Sec. 403), page 3, line 11, by striking out "AND."

Amend Sec. 1 (Sec. 403), page 3, line 11, by inserting after "Mining" and construction.

Amend Sec. 1 (Sec. 403), page 3, line 12, by inserting after "EQUIPMENT" not attached to the realty.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL AND AMENDMENTS TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1178 Printer's No. 1593 together with the amendments be taken from the table.

The motion was agreed to.

Agreeably to order,

The House proceed to the second reading and consideration of House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels water skiing aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing

duties on the Department of Revenue the Pennsylvania Fish Commission and the Pennsylvania Navigation Commission prescribing the Watercraft Safety Division Account of the Fish Fund and providing for the reimbursement of the General Fund.

The first to fourth sections inclusive were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendment:

Amend Sec. 5, page 4, by inserting between lines 16 and 17 Class 2 Eight dollars (\$8), Class 3 Twelve dollars (\$12).

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendment:

Amend Sec. 6, page 13, line 6, by striking out "AND THE NAVIGATION COMMISSION."

The seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendment:

Amend Sec. 9, page 16, lines 12 to 15 by striking out "SUCH A MANNER AS TO DISREGARD" in line 12, all of lines 13 to 15, and inserting: "a reckless or negligent manner so as to endanger the life, limb or property of any person."

The tenth to fourteenth sections inclusive were separately read and agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendments:

Amend Sec. 15, page 20, line 16, by striking out: "Owner's."

Amend Sec. 15, page 21, line 2, by inserting after "require": "An owner of a vessel shall be liable for any injury or damage along with the operator thereof if such vessel is being used or operated with his express or implied consent and knowledge."

The sixteenth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendment:

Amend Sec. 16, page 21, line 15, by inserting after "Commonwealth": In making or formulating any rule or regulation affecting the operation of a vessel within waters under the jurisdiction of the Navigation Commission, the commission shall seek the active advice and counsel of the Navigation Commission acting through its executive secretary.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendments:

Amend Sec. 17, page 22, lines 8 to 15, by striking out "EXCEPT" in line 8, all of lines 9 to 14, and "BOATS" in line 15.

Amend Sec. 17, page 22, lines 15 and 16, by striking out "AND THE NAVIGATION COMMISSION."

Amend Sec. 17, page 22, lines 16 and 17, by striking out "OR THE NAVIGATION COMMISSION."

Amend Sec. 17, page 22, line 19, by striking out "in" and inserting: In.

Amend Sec. 17, page 22, line 20; page 23, line 1, by striking out "OR THE NAVIGATION COMMISSION."

Amend Sec. 17, page 23, line 7, by inserting after "witness": The commission shall appoint any member or employe of the Navigation Commission as an officer for the enforcement of this act upon receipt of a written request for such appointment from the navigation commission.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendments:

Amend Sec. 18, page 24, lines 4 to 15 by striking out "THE" in line 4, and all of lines 5 to 15, and inserting: However, all fines collected for violations on waters under the jurisdiction of the Navigation Commission shall be remitted to the Navigation Commission for use in accordance with subsection (b) hereof.

Amend Sec. 18, page 25, line 3, by inserting after "education": The fact that the fines are remitted to the Navigation Commission in accordance with the requirements of subsection (a) hereof shall not warrant the commission to refuse or minimize the expenditure of further funds if needed from the receipts of the watercraft safety division account within the area under the jurisdiction of the Navigation Commission.

The nineteenth, twentieth and twenty-first sections were separately read and agreed to.

The twenty-second section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the following amendments:

Amend Sec. 22, page 29, lines 1 and 2, by striking out "AND THE NAVIGATION" in line 1, and all of line 2.

Amend Sec. 22, page 29, lines 3 and 4, by striking out "AND THE NAVIGATION COMMISSION."

The twenty-third section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the followed amendment:

Amend Sec. 23, page 30, lines 3 to 20, by striking out all of said lines.

The twenty-fourth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the followed amendment:

Amend Sec. 24, page 31, line 1, by striking out "24" and inserting: 23.

The twenty-fifth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the followed amendment:

Amend Sec. 25, page 32, line 5, by striking out "25" and inserting: 24.

The twenty-sixth section was read.

On the question,

Will the House agree to the section?

Mr. SCHAAF offered the followed amendment:

Amend Sec. 26, page 33, line 6, by striking out "26" and inserting: 25.

On the question,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Bell. For what purpose does the gentleman rise?

Mr. BELL. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BELL. Are we at this time voting to take the bill and the proposed amendments off the table so that there will be debate as to whether the bill be amended or not?

The SPEAKER pro tempore. That is correct.

Mr. CLARKE. Mr. Speaker, inasmuch as several weeks have passed since this bill was last discussed with the proposed amendments, I would request that Mr. Schaaf, I believe it was, who proposed these amendments, explain them to us once again.

Mr. SCHAAF. Mr. Speaker, I do not intend to debate these amendments at any great length, but if the Members of the House will recall, these amendments were what I termed and what I still believe are essentially compromise amendments.

The bill as it was re-reported from the Appropriations Committee in its present Printers No. 1593, I believe it is, contains amendments, the net effect of which I believe is to create a separate enclave in the area of the Delaware River.

As one of the Members of the Committee which originally worked very hard and very strenuously on this particular bill, we can appreciate the position of the counties in that area, but nevertheless we strongly feel that the effect of these amendments is to destroy the overall good effect and general application of the bill. Consequently these amendments were offered with two things in mind. No. 1, to restore the bill to a workable condition, and No. 2, to nevertheless grant some concession to the people in that area. I think that is sufficient explanation.

Mr. BELL. Mr. Speaker, I rise to oppose these amendments. I am not going into the matter which was very thoroughly covered in what I believe was an hour and a half's debate on September 15, but I do desire to cover certain items which have taken place since that time.

I have in my hands the resolution of the Navigation Commission for the Delaware River which is an agency of the Department of Forests and Waters. This resolution strongly urges that this House pass the bill in the form in which it came out of the Appropriations Committee, pass the bill without these amendments which have been submitted on the floor.

These are not compromise amendments. These are amendments to insert the Fish Commission into the navigable portion of the Delaware River, and I wish to say this, on the Delaware River, on the navigable portion, we already have a number of agencies, the Coast Guard, the Engineers' Department of the United States Army, we have the Navigation Commission, and this will bring us a fourth agency.

Since then I have looked up where the boundary line runs up and down the Delaware River. That boundary was set in the 1700's and runs like a snake from side to side, including some islands in Pennsylvania and some in New Jersey. Under a pre-constitutional agreement the Navigation Commission has full jurisdiction over this river all

the way over to the Jersey shore, including New Jersey's waters.

The second thing which I would like to bring out, I have in my possession the September issue of the Pennsylvania Angler. This is a publication of the Pennsylvania Fish Commission, the Commission that is trying to get a foothold on the navigable portion of the Delaware River, and it reads: "Enforcement pays off." This article is found on page 3. I am not going to read it at length. We have been here a long time today, but this article states that the Fish Commission in the Conneaut Lake area when it went in and enforced the existing law, the accidents which formerly took place on Conneaut Lake were cut down. In other words, if you recall, in interrogation on this floor I tried to pin down my opponent into admitting that the Fish Commission right now has full power over the safety factors with respect to motor boats on the inland waters and the lakes of this state. I did not get the admission, but I went to the law books and I find that the Act of 1931 as amended in 1933, gave the Fish Commission full regulatory powers over safety with respect to motor boats on the inland waters and the lakes.

On the floor on that date I said that the Fish Commission's experience record in administering this law has been very poor; I think I used a more forceful adjective, and I say it again. We in the Delaware Valley are content with the Navigation Commission exercising its right of control over motor boating on the navigable portions of the Delaware River, and we do not want the Fish Commission there.

Therefore, ladies and gentlemen of the House, without taking any more of your time, I urge that everyone here vote against these amendments.

Mr. ISAACS. Mr. Speaker, these amendments, as has been stated, were debated at length in this House on September 15. At that time there was considerable comment about who owned yachts and who did not; about the constitutionality of the bill without the amendments.

These points I am not going to debate. In the first place, I am not a lawyer and even they never seem to agree in this House, and in the second place, my comments are these. I live on tidewater in the Delaware River. I do not own a boat of any kind, not even one of those boats propelled by oars. I do have a marina in my own borough operated by the Recreation Board. I know that harbor masters have been up and down Darby Creek, and sportsmen say the regulations there are good, even covered by some borough ordinances. The people on the tidewater portion of the Delaware River adjacent to where I live do not want and do not need any fish wardens. In the first place, we have no fish; in the second place, our boating is well regulated.

I think we can save the Commonwealth a few positions, a few jobs, and, from what I have been hearing around this House today, there is not too much money around to pay the bills we have already contracted. All we ask in tidewater on the Delaware River is to be let alone and for that reason, and I see no reason for these amendments, I ask the ladies and gentlemen of this House to vote them down.

Mr. DOUGHERTY. Mr. Speaker, I rise to oppose these amendments on just plain common sense. Before the Revolutionary War and ever since, the Coast Guard and Navigation Commission have controlled the waters of the

Delaware and its tributaries. To place it in the hands of the Fish Commission that knows none of its problems would just be unthinkable.

On the question,

Will the House agree to the amendments?

A division was called for, more than a majority of the Members having voted in the negative, the question was determined in the negative and the amendments were not agreed to.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. WILLARD and DOWN offered the following amendments:

Amend Sec. 2, page 18, line 2, by striking out "2" and inserting: 12.

Amend Sec. 2, page 18, line 5, by striking out "in" and inserting: In.

Amend Sec. 2, page 18, line 5, by striking out "a person" and inserting: two persons.

Amend Sec. 2, page 18, lines 7 and 8, by striking out "unless there is an adequate rear vision" in line 7, and all of line 8.

They were agreed to.

The third to fourteenth sections were separately read and agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Messrs. WILLARD and DOWN offered the following amendment:

Amend Sec. 15, page 20, line 16, by striking out "Owner's" and inserting: Operator's.

It was agreed to.

The sixteenth to twenty-sixth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

RESOLUTION

CONDOLENCE

Mr. R. P. JOHNSON asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, October 13, 1959.

On Sunday, October 11, 1959, Bert Bell the Commissioner of the National Football League died while in attendance at a professional football game, a sport which owes much of its present popularity and success to the efforts of this man.

When Bell took over as czar in 1946, the N.F.L. was a mass of confusion and riddled with debt and professional football was ridiculed as little more than a carnival with three or four featured players and a cast of lesser performers.

Under his rule and efforts, however, the league became well organized and prospered beyond the wildest dreams of the men who made Bell their boss; and professional football was elevated to the position of a major and popular sport.

The personable Commissioner, one of the best liked men on the American sports scene, was confronted with

many crises during his regime which threatened to destroy the game he loved so well, but his understanding of the problems peculiar to his sport enabled him to overcome these problems and save the professional football game from oblivion.

It was Bell who introduced the player draft system to pro football, a system which provides for the equalization of teams and which is described as the savior of the game.

Mr. Bell, a member of a prominent Pennsylvania family, was educated in Philadelphia and was a graduate of the University of Pennsylvania where he captained the football team. He entered the N.F.L. in 1933 as part owner of the Frankford Yellowjackets and in 1940 he bought a half interest in the Philadelphia Eagles.

At the time of his death Mr. Bell resided at 323 Haverford Avenue, Narberth, Montgomery County, Pennsylvania, therefore be it

Resolved, That the members of this House of Representatives pay tribute to Bert Bell who brought distinction and honor not only upon himself as a great leader in the sports world but also upon the Commonwealth of Pennsylvania as one of its leading citizens, and be it further

Resolved, That the members of this House of Representatives extend their deepest sympathies to his loved ones upon their recent loss and bereavement, and be it further

Resolved, That copies of this resolution be sent to his wife Frances Upton Bell, his two sons George Upton Bell and John Bert Bell, Jr. and his daughter Jane Bell.

REPORT FROM COMMITTEE

Mr. YETTER from the Committee on Highways, reported as amended, House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a high level bridge over the Allegheny River, in Freeport, Armstrong County, * * *" changing the location at which the bridge is to be erected.

The SPEAKER pro tempore. The Chair is informed that today is the birthday of one of our Members, the gentleman from Delaware, Mr. Odorisio.

The Chair recognizes Dr. Dengler.

Mr. DENGLER. It gives me great pleasure from time to time to lead this House in the singing of Happy Birthday, but today is an unusual day because the birthday happens to be that of my side-kick from Delaware County. Rocco is a singer of note; he sings Italian songs beautifully, he is a linguist and he is a gentleman of the old school. Let's all sing Happy Birthday, dear Rocco.

The Members joined in singing "Happy Birthday."

The SPEAKER pro tempore. The Chair recognizes the gentleman.

Mr. ODORISIO: Mr. Speaker, with each birthday comes the bitter and the sweet; the bitter in the knowledge that you are growing older; the sweet the joy in the knowledge of the new friends that you have made during the past year. I can sincerely say that I have made many here during this term.

Thank you for your good wishes.

Mr. DENGLER. Mrs. Odorisio is here and I think we ought to have her rise for a bow. Will you please recognize her for a bow?

The SPEAKER pro tempore. Will the lady please rise in her place?

The Chair welcomes the lady to the Hall of the House.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or re-defining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2100

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, McCANN and A. M. LEE.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 661.

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

HOUSE BILL No. 662.

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April

twenty-nine Anno Domini one thousand eight hundred and seventy-four and of the supplement thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

HOUSE BILL No. 1071.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," regulating the advertising of merchandise offered for sale by certain businesses.

HOUSE BILL No. 1897.

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Broker License Act of 1929," further regulating deposits and disbursements of funds by brokers.

SENATE BILL No. 390.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs.

SENATE BILL No. 920.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

SENATE BILL No. 1131.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN and A. W. JOHNSON.

HOUSE BILL No. 2419.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), conferring rights on certain provisional employes and war-duration appointees.

Referred to the Committee on Rules.

By Messrs. STEWART, AUKER, SCHAAF

and PRENDERGAST.

HOUSE BILL No. 2420.

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), changing the provisions relating to the effective date of certain laws.

Referred to the Committee on Rules.

By Messrs. TOMPKINS and ANDREWS.

HOUSE BILL No. 2421.

A Joint Resolution proposing an amendment to article fourteen, section five of the Constitution of the Commonwealth of Pennsylvania, providing that maximum and minimum limits of compensation of county officers may be fixed by law.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 315, 367, 680, 707, 997, 1023, 1297, 1463, 1566, 1701, 1907, 1992, 2014, 2203, and 2216.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 315, Printer's No. 1649, entitled "An Act amending the act of July 2, 1935 (P. L. 589), entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties,' relieving the Secretary of Health and the Advisory Health Board of certain powers and duties imposing powers and duties on the Secretary of Agriculture defining certified milk and canned milk and providing for the sale of canned milk establishing certain fees requiring additional information to be on milk when sold providing that a brucellosis test be given to certain cows permitting milk plants to be used in the preparation of certain fruit juices and milk products and extending certain provisions of the act to milk products."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 367, Printer's No. 295, entitled "An Act amending the act of July 21, 1941 (P. L. 425), entitled 'An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation,' increasing the compensation of witnesses."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 680, Printer's No. 176, entitled "An Act amending the act of April 28, 1937 (P. L. 417), entitled 'Milk Control Law,' changing provisions relating to weighing and measuring permits."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 707, Printer's No. 263, entitled "An Act amending the act of January 18, 1952 (P. L. 2159), entitled 'An act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation,' increasing the membership of the commission."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 997, Printer's No. 352, entitled "An Act designating the whitetail deer as the official State animal."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1203, Printer's No. 1640, entitled "An Act amending the act of August 9, 1955 (P. L. 323), entitled 'An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto,' changing the publication provisions relating to auditors' reports."

DAVID L. LAWRENCE.

October 7, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1297, Printer's No. 1674, entitled "An Act amending the act of April 6, 1956 (P. L. 1414), entitled 'An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on the authorities authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates and services and authorizing the authorities to collect tolls, fares, fees, rentals and charges for the use of facilities defining the authorities' powers and duties and defining the port districts,' granting Port Authorities the exclusive right to engage in the business of owning, operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1463, Printer's No. 871, entitled "An Act repealing sections 1261, 1262 and 1263, act of August 9, 1955 (P. L. 323), entitled 'The County Code,' relating to recognizance of sheriffs and coroners."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day ap-

proved and signed House Bill No. 1566, Printer's No. 987, entitled "An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, 'Orphans' Court Act of 1951,' conferring exclusive jurisdiction of control of decedent's burial on the orphans' court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1701, Printer's No. 1294, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'The Game Law,' EXTENDING THE PERIOD for shooting on regulating shooting grounds."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1907, Printer's No. 1362, entitled "An Act amending the act of June 3, 1937 (P. L. 1225), entitled 'An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto,' clarifying the provisions relating to shooting across highways or at wild birds or animals on highways."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1992, Printer's No. 1509, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code,' authorizing the operation of a vehicle having two others attached thereto in certain cases."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2014, Printer's No. 1159, entitled "An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons, partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties."

DAVID L. LAWRENCE.

October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2203, Printer's No. 1332, entitled "An Act amending the act of May 3, 1933 (P. L. 242), entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture, defining beauty culture and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators, conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties,' permitting reciprocal licensure of foreign applicants."

DAVID L. LAWRENCE.

October 13, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2216, Printer's No. 1233, entitled "An Act amending the act of July 5, 1947 (P. L. 1217), entitled 'State Public School Building Authority Act,' authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale."

DAVID L. LAWRENCE.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1173.

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

HOUSE BILL No. 1175.

An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

HOUSE BILL No. 1176.

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency.

HOUSE BILL No. 1229.

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws" extending the provisions thereof to include political subdivisions.

HOUSE BILL No. 1438.

An Act amending the "Fictitious Corporate Name Act" approved July 11, 1957 (P. L. 783) repealing the requirement that certificates of registration be cancelled after five years.

HOUSE BILL No. 1609.

An Act amending the act of June 4, 1945 (P. L. 1388) entitled as amended "An act relating to the practice procedure regulations and adjudications of departments departmental administration boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof * * * providing for the applicability of the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance.

HOUSE BILL No. 1725.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Polk Venango County.

HOUSE BILL No. 1730.

An Act amending "The Administrative Code of 1929" approved April 1, 1929 (P. L. 177) changing the names of state penal and correctional institutions.

HOUSE BILL No. 1968.

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

HOUSE BILL No. 2110.

An Act authorizing the Dept of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pa.

HOUSE BILL No. 2267.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

HOUSE BILL No. 2270.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) regulating the making of the means of ingress and egress in mines.

HOUSE BILL No. 2320.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

HOUSE BILL No. 2321.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres of land in Bensalem Township Bucks County and 13.34 acres of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres of land situate in Somerset Township Somerset County.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate going introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 1103.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILLS Nos. 274 AND 621

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 274.

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

HOUSE BILL No. 621.

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTIONS Nos. 59 and 82

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolutions from the House of Representatives as follows:

HOUSE RESOLUTION No. 59.

Directing the Joint State Government Commission to study laws relating to the exercise to condemn property for public purposes.

HOUSE RESOLUTION No. 82.

Joint State Government Commission to make a study of the "Fire and Panic Act."

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1179.

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Koreana Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

Referred to the Committee on Rules.

SENATE MESSAGES

The Clerk of the Senate being introduced, extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 2265, 2268 and 2271.

Amended Senate Bills non-concurred in by Senate No. 868.

Amended Senate Bills recalled from the Governor returned for concurrence Nos. 824 and 835.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DOWN.

RESOLUTION (Not Printed)

In the House of Representatives, October 13, 1959.

The inclusion of an essay contest in the Columbus Day celebrations in Pennsylvania has done much to allow and promote expressions by young citizens of pride in and patriotism for this glorious country.

The winning of an engraved certificate of merit by Miss Marina Lebrere of St. Michael School, Greenville, Pennsylvania, in the Columbus Day essay contest is a matter of great pride to her friends and to all residents of her community. In her essay she expressed the sentiments and attitudes of a truly fine American; therefore, be it

Resolved, That this House of Representatives hereby extends its congratulations to Miss Lebrere on the recognition accorded her on her fine essay; and, be it further

Resolved, That a copy of this resolution be forwarded to Miss Marina Lebrere, Conneaut Lake Road, Greenville, Pennsylvania.

Referred to the Committee on Rules.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-246, Wednesday, October 14, at 11:00 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Wednesday, October 14, at 10:00 a.m.

FISHERIES, Mr. Curwood, Chairman, Room 323, Wednesday, October 14, at 11:00 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D, Wednesday, October 14, at 10:30 a.m.

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131-G, Wednesday, October 14, at 11:45 a.m.

ADJOURNMENT

Mr. STECKEL. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 14, 1959 at 11:00 a.m. E.S.T.

The motion was agreed to, and (at 6:52 p.m. E.S.T.) the House adjourned.

Legislative Journal.

Session 1959.

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HARRISBURG, PA., WEDNESDAY, OCTOBER 14, 1959.

No. 102.

SENATE

WEDNESDAY, OCTOBER 14, 1959.

The Senate met at 2:00 o'clock, p.m., Easter Standard Time.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

PRAYER

The Chaplain, Rev. MAX BURTON CONLEY, Pastor of Appleby Manor Memorial Presbyterian Church, Ford City, offered the following prayer:

Let us pray.

Our Father, Lord of heaven and of earth, we acknowledge that Thou dost govern in the affairs of men. If a sparrow cannot fall to the ground without Thy notice, how can we think Thou art indifferent to what we say and do here? If Thou dost number the hairs of our head, how can we think that Thou would think any act or thought we may harbor in our minds is insignificant or unnoticed? If Thou didst create the world for the good of all men, how can we be hardened to each others needs?

If this day Thou dost want us to do or not to do any particular thing, we pray that Thou wilt make it plain to us, for Thou knowest how blind we can be and how stubborn in our own intentions. If there be any here sulking as children will, deal with and enlighten him. If there be any here out for revenge against another, make him know, "Vengeance is mine, I will repay," saith the Lord. If there be any here sick of body and troubled in mind, heal the body, quiet the mind, for we cannot work to our best while the body cries out for attention.

Give us courage, faith and the quiet mind. Give life to our good intentions, least they be stillborn. Bless us in all that is right, and correct us in all that is wrong. Knowing Thee, we know that this is not asking too much, only that which Thy goodness would have for Thy children. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

OFFICERS AND MEMBERS OF THE PENNSYLVANIA
EQUAL RIGHTS COUNCIL PRESENTED
TO SENATE

Mr. DONOLOW. Mr. President, it gives me great

pleasure to present to the Senate of Pennsylvania over 500 citizens of this Commonwealth who have come from every part of the State to voice their interest in the Fair Housing Bill. These people are members of the Pennsylvania Equal Rights Council. They are here with many of their officers who, at this time, I would like to introduce. They consist of the following people:

The Chairman of the Council, Walter Gay, Esquire, who heads the National Association For the Advancement of Colored People; the Executive Vice-Chairman, Francis C. Shane, Committee on Civil Rights of the United Steelworkers of America; the Secretary, Fred Grossman, Anti-Defamation League of B'nai B'rith, from Philadelphia; and the Treasurer, Robert K. Greenfield, Esquire, Jewish Community Relations Council of Philadelphia.

Mr. President, these people would like to be recognized, in their presence here, as being here for a worthy cause which I think all of us agree to.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate of Pennsylvania, would like to extend a welcome to the Officers and Members of the Pennsylvania Equal Rights Council who have come here today. We most certainly hope that your visit to our State Capitol will be a most enjoyable one.

Mr. WEINER. Mr. President, if I may, I would like to add that these people would have a very pleasant visit, and probably a happier one, if they could get what they came for; namely, the passage of the Fair Housing Bill, House Bill No. 322.

A goodly number of these people reside in my district and have been after this matter for years. This is not the first time they have been here. They are not particularly happy with the way the bill has been amended, having reached this Body. However, I think they, at least, would like to have the matter considered in order for it to receive a fair run for its money, win draw or lose.

I think I express the sentiment of the group when I say that if we had this bill on the Calendar, almost everybody would vote for it and it would become law. We feel that it is needed, not so much because we want to enforce this thing, but I think, as an expression of public policy, it is how we, as human beings, feel we should live with each other in this Commonwealth.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read

as follows, and referred to the Committee on Executive Nominations:

CORONER IN AND FOR THE COUNTY OF CENTRE

October 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert W. Neff, Howard, Centre County, for appointment as coroner in and for the County of Centre, until the first Monday of January 1960, vice Charles J. Cullen, resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 355, entitled:

An Act amending "The Second Township Code" approved May 1, 1933 (P. L. 103), changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

Which was committed to the Committee on Rules.

House Bill No. 478, entitled:

An Act selecting, designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Rules.

House Bill No. 905, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," including services of industrial insurance agents within the definition of employment.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Michael J. Harrinton, 527 Gibbons Street, Scranton, Lackawanna County.

Edgar B. Cawley, 739 Orchard Street, Scranton, Lackawanna County.

DAVID L. LAWRENCE

MEMBERS OF THE PENNSYLVANIA FISH COMMISSION

October 13, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pennsylvania Fish Commission, until the second Tuesday of January 1966, and until their successors are appointed and qualified:

Joseph M. Critchfield, Confluence, Somerset County.

John W. Grenoble, Trindle Road, Mounted Route, Carlisle, Cumberland County.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Gerald Woomer, Reedsville, Mifflin County, for appointment as a member of the Board of Trustees of Shippensburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Hon. Paul S. Lehman, Lewistown, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry F. Kirst, Church Street, Moscow, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Moscow, Lackawanna County, to serve until the first Monday of January 1960, vice Walter R. Kirchner, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Jo Hays, 441 West Fairmount Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Dr. John A. Mader, Williamsport, whose term expired.

DAVID L. LAWRENCE.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I report at this time, from the Committee on Executive Nominations, communications from His Excellency the Governor of the Commonwealth, recalling the nomination of Raymond A. Fisher as a member of the State Board of Examiners of Architects, and the nomination of Vernon M. Wood, Sr., as a member of the State Real Estate Commission.

The Clerk read the communications as follows:

RECALLING THE NOMINATION OF RAYMOND A. FISHER AS A MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 13, 1959, for the appointment of Raymond A. Fisher, Pittsburgh, Allegheny County, as a member of the State Board of Examiners of Architects, from October 24, 1958, for the term of six years and until his successor shall have been appointed and qualified, for the reason that Mr. Fisher died on October 4, 1959.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

RECALLING THE NOMINATION OF VERNON M. WOOD, SR. AS A MEMBER OF THE STATE REAL ESTATE COMMISSION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 31, 1959, for the appointment of Vernon M. Wood, Sr., Harrisburg as a member of the State Real Estate Commission, from June 21, 1957, until September 21, 1959, and until his successor has been appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. FLEMING. Mr. President, I further report, from the Committee on Executive Nominations, the nominations of Raymond A. Fisher and Vernon M. Wood, Sr., and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond A. Fisher, Pittsburgh, Allegheny County for appointment as a member of the State Board of Examiners of Architects, from October 24, 1958, for the term of six years and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE REAL ESTATE COMMISSION

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as member of the State Real Estate Commission:

Vernon M. Wood, Sr., Harrisburg, from June 21, 1957, until September 21, 1959, until his successor has been appointed and qualified.

DAVID L. LAWRENCE.

NOMINATIONS RETURNED TO THE GOVERNOR

Mr. FLEMING. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The nominations will be returned to the Governor.

SENATE RESOLUTIONS

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY ALTERNATIVE MEASURES OF THE LOCAL ABILITY TO FINANCE PUBLIC EDUCATION

Messrs. STEVENSON, WHALLEY, WAGNER and WALKER offered the following resolution (Serial No. 75), which was read and referred to the Committee on Rules:

In the Senate, October 14, 1959.

Whereas, The equitable distribution of public school costs between State and local governments and among differently circumstanced direct and indirect beneficiaries of public education is of vital concern to the General Assembly; and

Whereas, The portion of public school costs borne by the State government of the Commonwealth has increased continuously over the past few decades and is now significantly above the portion borne by all State governments combined, and by the State governments of surrounding States; and

Whereas, The need for a comprehensive re-examination of the ability of local school districts to finance public education and of the ways to reliably measure that ability is imperative; therefore be it

Resolved, That the Joint State Government Commission be directed to study alternative measures of the local ability to finance public education and evaluate the effects consequent upon the use of alternative measures upon the division of public school costs between the State government and school districts and among different groups of taxpayers.

TO DISCHARGE COMMITTEE ON FINANCE FROM FURTHER CONSIDERATION OF HOUSE BILL No. 1590

Mr. WEINER. Mr. President. I present to the Chair two discharge resolutions, and ask that they both be read as they refer to the same matter.

The PRESIDING OFFICER. The Clerk will read the resolution.

The resolution was read by the Clerk as follows:

In the Senate, October 14, 1959.

Resolved, That House Bill No. 1590, Printer's No. 1319 entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; imposing a permanent tax on the fuels used in aircraft or aircraft engines; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; requiring registration of carriers for hire; imposing duties on such persons; requiring persons selling or delivering fuels to licensed dealer-users to furnish information; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously

collected from licensees; and providing penalties" having been referred to the Committee on Finance on August 19, 1959 and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

Mr. WEINER. Mr. President, I would like to request that the Clerk read the other resolution, so that I may speak on both of them at the same time.

The PRESIDING OFFICER. The Clerk will read the second resolution as introduced by Senator Weiner.

The resolution was read by the Clerk as follows:

TO DISCHARGE COMMITTEE ON FINANCE FROM
FURTHER CONSIDERATION OF HOUSE BILL
No.1593

In the Senate, October 14, 1959

Resolved, That House Bill 1593, Printer's No. 1320, entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties, conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation," having been referred to the committee on Finance on August 19, 1959 and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

The PRESIDING OFFICER. The question before the Senate is on the adoption of the first resolution offered by the gentleman from Philadelphia, Senator Weiner, which is to discharge the Committee on Finance from further consideration of House Bill No. 1590.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, the reason for offering these discharge resolutions at this time is based on the fact that the Commonwealth of Pennsylvania needs this money and needs it badly. I doubt whether there is a gentleman sitting here today who, in his own area, does not need roads built, whether they be of the primary type or of the secondary type. I doubt whether there is anyone here who does not need some type of building in his area to bring in either business or, at least, to bring in the tourist trade.

For example, Mr. President, let us take the areas of Somerset and Cambria Counties, both of which are represented by gentlemen sitting on the other side of the aisle. Route No. 219, in that area, needs this type of work. There is no way for this work to be done unless money is raised to do it. The one-cent tax, represented by these two House Bills, is of such a nature that it actually brings money to the Commonwealth. Suppose I were to tell you that for every dollar which we put up, the Federal Government will return to us three dollars. That seems like a fairly decent return on your money.

Under this bill, if passed, the one-cent tax would raise \$64,000,000. We have, in Pennsylvania, a situation

which is a little bit different, but actually the same as the Federal Government has. We have the President of the United States being of one political faith and the Federal Congress being of another political faith. The President suggested this one-cent tax on gasoline in order to continue the highway building program. This was enacted by the Democratic National Legislature because they felt the need to continue the program. Unfortunately, our highway system is not the type which can be built within a week or ten days. There is a long planning stage which is needed. There are extensive plans, diagrams, excavations and testings which have to be done before the final program can be evolved. When that is done, the necessary bids have to be taken, money arranged the necessary equipment brought in to do the job.

Every penny that we spend on highway returns to us many times over. One thing about the tax is that it is an equitable tax in the sense that the people who use the highways pay the tax. It is not those who have nothing to do with or nothing to gain by it who have to bear or share this burden. It is the persons who receive the benefit who actually bear the burden in this problem. This is a capital improvement. It is like building a building. It is the type of an investment that keeps returning because of the money which you expend. The money, in regard to this investment, continues to come back to us again and again. It is the type of thing which, if you were to build a high structure and you immediately saw the benefit of it, the benefit would redound to the entire State and to the entire tax picture.

I believe all of you who have been down in the Philadelphia area and in the area of Montgomery County, which is represented by one of the Senators here who also happens to be sitting on the other side of the aisle, can tell us very accurately that the large industrial park areas, now located and opening up in the Valley Forge, King of Prussia and Fort Washington Park areas, did not happen by themselves. They came about because of the expressways that were built. In a sense, Philadelphia almost built a road out of town in order to have this highway development and also, in a sense, to bring industry to Montgomery County. All this redounds in taxables available to the county. All of this redounds, in a sense, that we have a better highway system throughout Pennsylvania.

I think it behooves us to give this matter some careful consideration. I think we should not be moved along here by partisan consideration, alone. I know there are gentlemen in this General Assembly and people who visit here who are very much against this program, who cannot see the wisdom of it and who, in a few years from now, will go around moaning and wringing their hands because we do not have a proper highway system, and we could get better industry and we could get more tourists into Pennsylvania if we had a better road set-up. However, now is the time to do it and not after our roads have fallen into disrepair.

Let me point out one other thing to you which I think is of great importance. There is included in the budget an item which provides \$124,000,000 for new construction where needed, in the way of highways, which consists of approximately 230 miles of new highways, the widening and resurfacing of about 700 miles of highways, the resurfacing of an additional 1,240 miles of

secondary roads and the reconstruction of some 300 weight-restricted and obsolete bridges, which are now down in this Commonwealth. If we do not get the money from the Federal Government to help us with our primary program, some of this is going to have to go by the wayside because the Commonwealth, itself, is going to have to continue on with the primary system. This will mean about a sixty per cent cutback. This will happen throughout the entire Commonwealth. I assure you gentlemen that it will be in your counties, as well as mine, where these cutbacks will take place. It will only be because we did not see the wisdom of enacting this type of legislation which is absolutely necessary.

Our Federal highway system, which is across the entire Nation, and which every State has participated in, pays for fifty per cent of the roads that are built in this Commonwealth. I cannot see how you can throw this money away or disregard it completely at a time when road building is going on in very other State in the Union.

The PRESIDING OFFICER. Will the gentleman yield for a minute, please? There is absolutely too much noise and too much milling around in the Senate Chamber. The gentleman is certainly entitled to be heard.

You may continue, Senator Weiner.

Mr. WEINER. Mr. President, the long range effect of the lack of taking part in this program—I think one of the Senators sitting on the other side campaigned very extensively on the Pennsylvania Shortway or the Keystone Shortway, as it was called during the campaign—will be that the Keystone Shortway will never be a reality unless we get the money to do the job and do it properly.

In Senator Blass's area, Erie County, there is a short route which is needed very badly since the St. Lawrence Seaway is open. In order to keep Erie a first class port and in order for it to receive the tonnage to which it is entitled, you will have to have this road which will run from the Erie Port down to this area to connect with the other roads in the Commonwealth. If the gentleman from Erie feels this is not necessary, I would like for him to advise me that such is the case. If it is necessary, I think there is a part in the budget where we are laying the fundamental groundwork for that. Perhaps we can do away with that money and use it someplace else.

This is also true for every county that we can think of. They all need additional funds and they need this road work. If we do not provide the money with which to do it, I think you gentlemen will have no one to blame except yourselves.

The House has passed this measure over to you. It has been lying in committee for quite some time. I think that we, as a Body of the whole, should act on this measure. We should do it today, before it is too late for us to gain any funds at all. These Federal funds are available to all the States. If we do not take our fair share, somebody will take more than their share and will also take ours with it.

Mr. BERGER. Mr. President, I do not have any statistics or information supplied to me by the Department of Highways, which, of course, is the department of State Government very much interested in the imposition of an additional one-cent tax on motor fuel.

One of these resolutions refers, I believe, to the gaso-

line tax, and the other probably to diesel fuel. However, Mr. President, the fallacy in all of the arguments used to promote the passage of the additional one-cent gasoline tax appears to me to be the exposition that this can all be done at once; that if we do not get this money immediately, all of this work will not be done.

Mr. President, I do not believe that is correct. Pennsylvania has never, to my knowledge, and I believe I am speaking correctly, failed to match the Federal funds which are provided for Federal-aided highways.

I am informed, through reading the newspapers and other releases, that the money from the Federal Government on this interstate program is being slowed down, and it is being paid out in a more deliberate manner than was originally contemplated.

Furthermore, Mr. President, that is a three dollar to one dollar proposition. Every dollar of State money produces three dollars of Federal money. In my opinion, Mr. President, it is fallacious to argue that the State of Pennsylvania is not able to put up one dollar out of existing taxes in order to obtain three dollars.

On the other hand, Mr. President, we are given the argument that if we do not get this money, the State-supported highways, those completely supported by the State, will suffer. Mr. President, I do not accept that. The amount of money needed to match the Federal allocation for the State highways will be provided, and the amount of money necessary to maintain our existing roads can be provided out of existing revenues as has been demonstrated by various releases by the interested parties, not, however, the Highways Department.

Let me point out, Mr. President, that some of these highways referred to, such as Route 219, are not in the Federal interstate system. I believe there was a resolution or a bill introduced into this Body, asking that Route 219 be placed upon the interstate system. It is not on it. However, I believe that it is on the Federal primary system, which is the place where we have always matched State money with Federal money in order to improve our highways.

Mr. President, I see no reason why, under the existing revenues, the program in Pennsylvania cannot proceed in an orderly fashion. It is not a crash program, Mr. President. I question very much the ability of the department to put on the planning board and to produce plans sufficient to use up more money than will be produced under existing revenues.

Furthermore, Mr. President, we have lately approved in this Body, and sent to the House for concurrence, additional revenue-raising measures in the form of increased operators' license fees. We have stated, although I believe it was also stated by the Administration to the contrary, that the five dollars additional in registration fees would be an acceptable revenue-raising measure. My recollection is that when that was proposed in the House, there was a statement made by the Administration that this additional money was not needed, and that \$30,000,000 had been found in the highways fund which rendered it unnecessary to produce that extra five dollars on vehicle registrations.

Consequently, Mr. President, I am not at this time convinced that the additional one-cent gasoline tax is necessary for the proper conduct of the road program in Penn-

sylvania. Therefore, Mr. President, I request my colleagues to vote "no" on the resolutions.

Mr. WHALLEY. Mr. President, I think Senator Weiner said a few minutes ago that President Eisenhower asked for a one-cent additional gas tax, and that the Congress has given it to him. I think, if he will check the records, he will find that President Eisenhower asked for a one and one-half cent per gallon increase, and the Congress has seen fit to give one-cent. On the basis of that, the Pennsylvania Department of Highways has been advised that they will receive many, many millions of dollars less than what they had expected.

I think you will find that Governor Lawrence's Tax Advisory Committee advocated a one-cent per gallon gas tax increase in Pennsylvania, and I believe the receipts from it would have amounted to \$60,000,000 for the biennium. The committee also advised an additional fee of five dollars per license plate, which would have given \$35,000,000, plus \$2,000,000 in additional automobiles per biennium, or \$37,000,000. They also advocated an increase in driver license fees of from one dollar to three dollars, which would have given an extra \$22,000,000.

The one-cent per gallon gas tax in Pennsylvania would have meant that gasoline users would have been paying a fifty per cent sales tax on the basis of approximately twenty-two cents for gasoline, and, of course, the additional in Federal and State tax. I think, for that reason, that many people feel that the one-cent increase should not be enacted. However, the driver license fees have been increased by a House Bill, as I remember, from one dollar to two dollars, which would give an \$11,000,000 increase. I think that bill now has been amended in the Senate from two to two and one-half dollars, which will give another \$5,500,000 or a \$16,500,000 increase.

Governor Lawrence made the statement sometime ago that the five dollars extra on license plates would not be needed, because he expected to get the one cent on gasoline and the increase on drivers' licenses.

I really believe that if the one cent gas tax is not enacted, and of the five dollars per plate is, that \$37,000,000, plus the \$16,500,000 from the increase on drivers' licenses or \$53,500,000, will be sufficient. I have it on good authority that members of the Highways Department have agreed that if this five dollars per plate and the additional one dollar and a half on drivers' licenses is enacted, they will be satisfied, especially with the limited amount that they will now get from the Federal government.

Senator Weiner also mentioned Route 219. As you know, today there are approximately between 1,400 and 1,500 miles on the interstate system in Pennsylvania. The Turnpike Commission, comprising between 400 and 500 miles, is counted in that mileage. However, the Federal government does not intend to pay for the same. It has been suggested to Mr. Martin that arrangements be made with Washington to remove the Turnpike mileage from the total interstate mileage, making it possible to put other highways on the interstate system.

When you live in our section of Pennsylvania, and you want to drive north, it is necessary to drive west approximately 100 miles to Route 219. Since the new St. Lawrence Seaway is in effect, it would be a great boon to our section of Pennsylvania if a road running parallel to 219 would be put on the interstate system. I think it

would do as much for that particular section of Pennsylvania as the original Turnpike has done also.

Therefore, I hope that we get these facts and figures correct.

Mr. LANE. Mr. President and Members of the Senate, I do not suppose anything I might say here is going to change one vote. However, we must remember this: Number one, the Federal Government did enact into law an increase of one-cent in the Federal gas tax.

Number two, we must remember, also, that every operator of a motor vehicle in Pennsylvania is paying that gas tax. What are we going to receive in return?

We have talked here on the floor of this Senate many, many times about vehicular travel, highway safety and traffic problems. I am not speaking only of the interstate system. I am also speaking of the A. B. C. system here in Pennsylvania; that is, the urban and rural roads throughout the State of Pennsylvania. For example, we in western Pennsylvania are waiting patiently for the reconstruction of highways in our particular area. We are hoping that they are going to improve Route 88 from Pittsburgh to the West Virginia line. We are hoping also for improvement of the old National Highway, U. S. 40, from Uniontown through to Wheeling, West Virginia.

I believe that what we should do here today is bring this bill out on the floor, and let us discuss it in detail. Let us get the executives of the Department of Highways over here and let us have a clear understanding as to what is actually needed.

Pennsylvania has always been more or less one or two steps behind. Let us look at the State of California, with the advantages they have because they take advantage of every dollar of Federal money that is available. If we do not take this Federal money and utilize it in Pennsylvania for our huge highway system, we are missing the boat. In this day and age, most of us agree, there are more automobiles than there are highways. I believe that the time is going to come when we are going to have to take a realistic point of view when it comes to the construction of highways.

I agree that possibly there might be some misunderstanding here, but I do not believe that we should let these bills lie in committee. Let us bring them out on the floor. Let us bring over the executives from the Department of Highways, and sit down with the Chairman and the Members of the Committee on Highways, in order to work out all of these details and make sure that we get every dollar that is coming to Pennsylvania from the Federal Government.

Mr. WALKER. Mr. President, the Minority Floor Leader referred to Senator Whalley and myself as being from the Route 219 area, and that is correct.

I believe Senator Berger and Senator Whalley have adequately answered the question. However, I want to make it crystal clear. In so far as Cambria County is concerned, I am for whatever it takes to build roads. If we can get sufficient funds without the one-cent gasoline tax, that is one thing. If we must have the one-cent gas tax, I am prepared to vote for it.

However, I am not prepared to duplicate the revenues needlessly, and pile tax upon tax on our already heavily burdened taxpayers in Cambria County, as is true in all of the other counties in Pennsylvania.

This matter certainly is going to be brought out, and

it is certainly going to be discussed. I have every faith in the world in our Highways Secretary Mr. Martin. I think he is trying to do a good job, and I, as one Senator, certainly want to go along and help him in every way that I can. However, I am not one of those to put taxes upon taxes when they are not needed. We have to carefully evaluate this matter, and when we do, we will see that the Highways Department is given all of the money they need to do the job that they are able to do.

This may not be much of an explanation, but I do want to make my position clear on the record.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Cambria, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. Weiner. Mr. President, if I were to advise the gentleman from Cambria that the gentleman in whom he just expressed confidence, the Secretary of Highways, Mr. Martin, had advised me of the need for this tax—and I believe there was a letter sent just today to Senator Kessler, who may not have had an opportunity to read it or discuss it with the Caucus—would he express this confidence in the Secretary by voting for this one-cent tax that is needed to build these highways?

Mr. WALKER. Mr. President, I would like to talk with Mr. Martin, and ask him if he is fully aware of the revenues that are presently in the mill which should—perhaps they will not, but I want him to tell me they will not—finance the highway program. I do not propose to vote on any bill until I have had a chance to digest it and to consider it from all angles. I believe one of the jobs that we Senators have is to protect the taxpayers in our Commonwealth, and not to build up exorbitant revenues. I am not saying this would happen.

However, I am going to talk with Mr. Martin. I hope we can get him over here to sit down and discuss these possible sources of revenue.

Mr. WEINER. Mr. President, will the gentleman please advise us whether in the event the Secretary advises him that he needs this money, would he vote for these bills?

Mr. WALKER. I would like to repeat that I want to talk with him. I want to see if he understands the revenue-raising measures that are currently in the mill. Then I will be in a position to answer your question.

Mr. WEINER. Mr. President, will the gentleman advise us what bills are in the mill now to provide this revenue if we do not get the one-cent tax?

Mr. WALKER. Mr. President, I cannot give you the numbers of the bills. However, Senator Whalley has outlined them. There is a bill presently to increase the driver's license fee to two years for five dollars. There is presently a bill in the mill to increase the automobile license tag. I do not know the numbers of these bills.

Mr. WEINER. Mr. President, will the gentleman advise us how much these bills will produce in revenue, if he knows?

Mr. WALKER. Mr. President, I think Senator Whalley gave the figure. It was \$58,000,000.

Mr. WEINER. Mr. President, will the gentleman advise us further whether if these bills do not pass or do not have the opportunity to pass, would he still vote for the one-cent gas tax?

Mr. WALKER. Mr. President, I said before, and I repeat now, that I am dedicated to the road program in Pennsylvania, and I believe that we will have ample funds to build all of the roads that we are able to build.

Mr. WEINER. Mr. President, I want to thank the gentleman. I have heard this old refrain a number of times, but I am afraid it has not answered the question. The question, I think, that recurs before us here is: Are we going to provide enough money to build the roads that this State needs or are we not, and are we dedicated to a policy of not doing what has to be done generally, or shall we continue to hit the same person over and over again for tax money?

I believe that the gentleman will learn, if he talks to the Secretary and obtains information from him as I have, that about one-third of the amount of money that is needed to do this job would be paid by people who do not live in this State, but just happen to travel through here, most of whom would not object to paying this extra one-penny tax.

I also ask, Mr. President, that we might be at ease for just a moment, please.

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease)

Mr. WHALLEY. Mr. President, Senator Lane made the statement that we need plenty of revenue in Pennsylvania to make sure that we get all of the Federal money. I think Senator Lane will agree that Pennsylvania has never lost any Federal money. I believe that we were to get a total of \$332,000,000 in the next biennium or \$165,000,000 a year, which would have taken \$16,500,000 to match on a ninety-ten basis. If they check the records, they will find there is \$14,000,000, additional, remaining in the Northeast Flood Control Fund of a couple of years ago, which will also be available. Adding the \$37,500,000, plus \$16,000,000, plus \$14,000,000, you have \$67,500,000.

I want the Senate to know that I am very, very much in favor of good roads. I have a lot of confidence in the Secretary of Highways, Mr. Martin. I hope that he does set up a sixty-seven county road building program so that the entire Commonwealth can benefit. Many, many times, in travels over the Country, you find that large cities do not build or spend two, three and four hundred million dollars in building highways into a city and then the same amount of money, getting the same amount of traffic back out. For instance, in the city of Philadelphia, it would be very, very easy, in my opinion, to build a half-moon highway around the city, consisting of four lanes, six lanes or eight lanes, at a cost of thirty, forty or fifty million dollars, rather than spending a quarter of a billion dollars to put a highway in and another quarter of a billion dollars to get the same amount of traffic out.

As Senator Walker said, however, I would like to see the record and the figures. I am reasonably sure that the money is available. Secretary Martin said that it takes a lot of time to prepare, to plan and to design, and he can only spend a certain amount of time and money in the next two years.

Mr. LANE. Mr. President, I will be very brief and to the point.

Mr. President, we must remember that the proposal to increase the fees for license plates and operators' licenses will tax every citizen in Pennsylvania, while, if we in-

crease the gasoline tax, approximately one-third of this tax would be paid by out-of-State residents.

Mr. CONFAIR. Mr. President, the gentleman from Philadelphia mentioned the Keystone Shortway in which, naturally, I am interested. I, too, probably am interested in highways as much as anybody in this Senate and I know we need money. I will definitely be in favor of the plan of raising the fee for drivers' licenses to five dollars for two years and, also, raising the fee for license plates to fifteen dollars. I will vote for those measures.

As to the present resolution, Mr. President, it is not a question of whether we vote for the gasoline tax. It is a question of whether we will vote to discharge the committee. Under those circumstances, I, naturally, will vote against the discharge resolution.

Under the plan of increasing the fees for drivers' licenses and license plates, we will take in approximately \$52,000,000. With the one-cent gas tax, we will bring in \$60,000,000, but then we will have to pay twenty per cent back to the counties. This will net us approximately \$48,000,000. Under the other plan,—the Department needs money and I know it—they will have about \$4,000,000 more to spend for highways. I think that is the thing in which we are interested.

Mr. BLASS. Mr. President, I want to supplement what Senator Berger and Senator Whalley so aptly said; that there are sufficient funds and money to construct the highways proposed under the Federal Aid System, as well as the highways under the State program. By the adoption of the bills which increase operators' fees and license fees, I feel there will be sufficient money to carry this program into effect.

Let me say to the boys on the other side of the fence that if this road from north to south had been constructed during the Administration when we authorized it, under the Republican Administration of Governor Fine, this road would have been constructed long ago. It was not due to any fault or neglect on the part of the Republican Members of this Senate that this road has not been completed. It was authorized three or four years ago and delayed by the Administration of Governor Leader and continually delayed by the Administration of Governor Lawrence.

There are sufficient funds provided under the Acts of Assembly which we passed in connection with operators' fees and drivers' licenses. This road can be completed without imposing any additional tax burden upon the people of Pennsylvania, for we have reached the saturation point on taxes.

Mr. MAHADY. Mr. President, when the Majority Leader mentioned the license fee as a revenue-raising measure, he brought to my mind the idea that maybe we had something here which we were doing and which should not be done.

There are a series of cases that say that license fees shall not be used as revenue-raising measures, and that they should not be used as a tax. Not only is this true in Pennsylvania, but the Supreme Court of the United States has said that this cannot be done. When you start raising this to use it primarily as a tax and not as a regulatory measure, we are in deep water.

For that reason, Mr. President, I will support the resolution. Also, for the additional reason that Senator Lane has well expressed; the idea that if we can lighten

the load upon our peoples, we should pass the one-cent tax because a great portion of it is paid by out-of-State people who use our roads. In other words, you pay for the road as you use it.

Another thing I wish to bring to your attention is that I am from a rural county and we do not get these roads that they get ninety per cent from. Our merchants are interested in one thing. They want to get the people in from the farms to their stores and back again. For this reason, we need a large portion of funds for the county, which the county gives to the townships for their use.

We are a backward State. After all, if you take the number of automobiles there are and multiply them by their length and bring them all out on the road at one time, see how much space you will have left. We build four-lane highways today which, from the day they are built, are inadequate. We are not being foresighted; we are being shortsighted.

Mr. WEINER. Mr. President, I believe we are missing the entire point of this discussion. I cannot understand why we would deliberately throw away money which is available to us. It seems to me that three dollars for the price of one dollar, which we put up as a State, is certainly a bargain rate at this date or any other date that I can think of.

I was interested in the remarks made by Senator Confair regarding the Keystone Shortway. He said he would vote for any measure which would put this into being, as long as it is a measure he wants. Whether it is possible to receive this or not has no bearing on the discussion, whatsoever, as long as they are the measures about which he is talking.

I cannot also understand the wisdom whereby one-third of the people who would not be Pennsylvanians, but who would pay the tax and bear the load, are being left out when there is an opportunity to have them do so. I do not think all of us believe that every measure of taxation which we introduce or work on should fall heavily upon the residents of this Commonwealth, when there is an opportunity to collect it from those people who have the benefit of using our highways, but bear none of the burden of building them or keeping them up.

The money about which Senator Whalley spoke, the \$14,000,000 of flood money, is a non-recurring item. We will not have it again. In a sense, this is a windfall. We will have to look for that money the next time around.

When we talk about \$150,000,000 a year in Pennsylvania for road building, road maintenance and road care, Pennsylvania history has not equalled this spending minimum, nor has it even come close to it. I think we are not only acting shortsightedly, but I think it is not very wise of us in the action we are taking here today.

I urge all the Members, Mr. President, to vote for this discharge resolution. I also want to urge the Members to speak to the Secretary of Highways. As members of this large corporation and as the board of directors, I think it behooves you to do that in order to get the information as I have it. I think your attitude would then be different. Your minds would not then be closed to this one opportunity to obtain \$64,000,000 which will be available to us from the Federal matching program, in order to gain the program which we so badly need for Pennsylvania in each and every county.

Mr. BERGER. Mr. President, I think it proper at this

time to point out to the Members of the Senate and to call the attention of the Chair to the rules and decisions regarding action upon discharge resolutions. They provide that the merits of the bill, to which the discharge resolution is addressed, may not be debated upon action on the resolution. I think what I am about to say may be considered as germane to the subject matter, which is the resolution.

Mr. President, I join with all of the Members of the Senate, I am sure, in the high regard that we have for the abilities of the present Secretary of Highways. I reiterate what I have told him and told others, and which is acquiesced in by the Chairman of the Finance Committee who has charge of this bill, that we expect to sit down and discuss this matter with the Secretary prior to action upon that bill.

The PRESIDING OFFICER. The position of the gentleman from Potter, Mr. Berger, is absolutely correct on the debating of the merits of a measure under a discharge resolution. However, the Chair has seen fit to allow considerable latitude at this particular time.

Mr. SEYLER. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. As the Chair previously stated, the resolution to be presently voted upon is the first one introduced by Senator Weiner, to discharge the Committee on Finance from further consideration of House Bill No. 1590, Printer's No. 1319.

And the question recurring,

Will the Senate adopt the resolution?

Mr. VAN SANT. Mr. President, I would inquire of the Chair as to whether or not a vote of "aye" or "nay" on a discharge resolution constitutes a vote on the bill.

The PRESIDING OFFICER. The vote which the Members give on this resolution will be a vote to discharge the Committee on Finance from consideration of the bill.

Mr. LANE. Mr. President, as a point of information, would you not assume it to be correct that if an individual votes against this discharge resolution, it is indicative that he is not in favor of increasing the gas tax by one-cent?

The PRESIDING OFFICER. In answer to the gentleman from Washington, Senator Lane, the Chair cannot adopt that assumption at all.

Mr. LANE. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. SEYLER and Mr. HAYS, and were as follows, viz:

YEAS—20

Camel,	Mahady,	Mullin,	Sarra,
DiSilvestro,	McCreesh,	Murray,	Seyler,
Donolow,	McGinnis,	Ripp,	Silvert,
Hays,	McMenamin,	Rooney,	Stiefel,
Lane,	Miller,	Ruth,	Weiner,

NAYS—24

Berger,	Fleming,	Madigan,	Wade,
Blass,	Harney,	Mallery,	Walker,
Chapman,	Keller,	Propert,	Watkins,
Confair,	Kessler,	Stevenson,	Whalley,
Ehrgood,	Koprivier, Jr.,	Taylor,	Wolfe,
Elliott,	Kromer,	Van Sant,	Scott,
			Presiding Officer

So the question was determined in the negative.

The PRESIDING OFFICER. The next resolution to be considered is the second one introduced by Senator Weiner,

to discharge the Committee on Finance from further consideration of House Bill No. 1593, Printer's No. 1320.

On the question,

Will the Senate adopt the resolution?

Mr. SEYLER. Mr. President, I request a roll call.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. SEYLER and Mr. SILVERT, and were as follows, viz:

YEAS—20

Camel,	Mahady,	Mullin,	Sarra,
DiSilvestro,	McCreesh,	Murray,	Seyler,
Donolow,	McGinnis,	Ripp,	Silvert,
Hays,	McMenamin,	Rooney,	Stiefel,
Lane,	Miller,	Ruth,	Weiner,

NAYS—24

Berger,	Fleming,	Madigan,	Wade,
Blass,	Harney,	Mallery,	Walker,
Chapman,	Keller,	Propert,	Watkins,
Confair,	Kessler,	Stevenson,	Whalley,
Ehrgood,	Koprivier, Jr.,	Taylor,	Wolfe,
Elliott,	Kromer,	Van Sant,	Scott,
			Presiding Officer

So the question was determined in the negative.

BILL INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. MALLERY and STEVENSON read in place and presented to the Chair Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," providing for the election of the city treasurer.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of the Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Michael J. Harrington, 527 Gibbons Street, Scranton, Lackawanna County.

Edgar B. Cawley, 739 Orchard Street, Scranton, Lackawanna County.

DAVID L. LAWRENCE.

MEMBERS OF THE PENNSYLVANIA FISH COMMISSION

October 13, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pennsylvania Fish Commission, until the second Tuesday of January 1966, and until their successors are appointed and qualified:

Joseph M. Critchfield, Confluence, Somerset County.
John W. Grenoble, Trindle Road, Mounted Route, Carlisle, Cumberland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Gerald Woomer, Reedsville, Mifflin County, for appointment as a member of the Board of Trustees of Shippensburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Hon. Paul S. Lehman, Lewistown, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry F. Kirst, Church Street, Moscow, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Moscow, Lackawanna County, to serve until the first Monday of January 1960, vice Walter R. Kirchner, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Jo Hays, 441 West Fairmount Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Dr. John A. Mader, Williamsport, whose term expired.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do advice and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,

Ehrgood,
Elliott,
Flack,
Fleming,
Harney,
Hays,

Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Sarra,
Seyler,
Shafer,
Silvert,
Stevenson,

Weiner,
Whalley,
Wolfe,
Scott,
Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents. which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 915

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 915.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,	Stevenson,	Presiding Officer
Hays,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representative accordingly.

REVENUE BILL ON FINAL PASSAGE

Agreeably to order,
The Senate resumed the consideration of House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Camiel,	Kessler,	Mullin,	Seyler,
DiSilvestro,	Lane,	Murray,	Silvert,
Donolow,	Mahady,	Pechan,	Stiefel,
Ehrgood,	McCreesh,	Ripp,	Taylor,
Fleming,	McGinnis,	Rooney,	Van Sant,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,	Sarraf,	

NAYS—22

Berger,	Harney,	Propert,	Watkins,
Blass,	Keller,	Shafer,	Whalley,
Chapman,	Koprivier, Jr.,	Stevenson,	Wolfe,
Confair,	Kromer,	Wade,	Scott,
Elliott,	Madigan,	Wagner,	Presiding Officer
Flack,	Mallery,	Walker,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REASONS FOR VOTE

Mr. WEINER. Mr. President, I would like to say, for the record, that my colleagues from Philadelphia and I have voted with great reluctance for this measure, due to the fact that we are anxious to conclude this Session, and to move on. Realizing that this bill will go to a Conference Committee, we are anxious to move this measure into that area so that it can be worked on.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 752, Printer's No. 433, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 786, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" providing the ratio of supervisors to teachers when the salaries of supervisors are included in budgets subject to approval by the Department of Public Instruction.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I intend to vote "no" on this bill, because I do not believe the State should tell local districts what use they can make of money raised locally and administered by locally elected boards. As a matter of fact, the ratios mentioned in this bill are very unrealistic ones. I do not think there is any school district, within my knowledge,—I do not know the details of all of the school districts in the State, but I have some knowledge of a good many—which anywhere approaches these limits. However, I object to the limits being stated by the State, because I believe this is a matter for local jurisdiction.

As you know, Mr. President, we reimburse local districts on the basis of the number of pupils. The number of teachers, the number of supervisors and the number of administrators have no effect whatever upon the amount of money furnished by the State. I believe that it is the right of any local district, if their elected officials so choose, to spend the moneys that they raise locally for those purposes they find important. I do not think the State should put limitations on how they expend the money which they raise.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Berger,	Harney,	McMenamin,	Van Sant,
Blass,	Keller,	Pechan,	Wade,
Camiel,	Kessler,	Propert,	Wagner,
Chapman,	Koprivier, Jr.,	Ruth,	Walker,
Confair,	Kromer,	Sarraf,	Watkins,
DiSilvestro,	Lane,	Shafer,	Weiner,
Ehrgood,	Madigan,	Silvert,	Whalley,
Elliott,	Mahady,	Stevenson,	Wolfe,
Flack,	Mallery,	Stiefel,	Scott,
Fleming,	McCreesh,	Taylor,	Presiding Officer

NAYS—7

Donolow,	McGinnis,	Murray,	Seyler,
Hays,	Mullin,	Ripp,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the following bills, on third reading, go over in their order:

Senate Bill No. 853, Printer's No. 1464;

Senate Bill No. 899, Printer's No. 1055; and

Senate Bill No. 1036, Printer's No. 1340.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Bill, page 18, by inserting after line 3: "Section 6. This act shall take effect January 1, 1960."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1059, Printer's No. 1506, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after

"tions": "exempting cities of the first class from the provisions of the act"; Amend Bill, page 6, line 20, and page 7, line 1, by inserting between said lines: "Section 3. The act is amended by adding, after section 5, a new section to read: "Section 5.1. Applicability of Act. This act shall not apply to cities of the first class."; Amend Sec. 3, page 7, line 1, by striking out "3" and inserting: "4"; Amend Sec. 2 (Sec. 5), page 6, lines 16 to 20, by striking out all of said lines and inserting: "(b) The provisions of this act and the regulations made thereunder shall not be taken nor deemed to repeal existing municipal ordinances nor to prevent municipalities or counties which have established or joined in establishing county departments of health from enacting and enforcing new ordinances or regulations for the further protection of the public health: Provided, That this act shall be considered as establishing uniform requirements and regulations and that nothing herein contained shall be deemed to prevent municipalities or counties which have established or joined in establishing county departments of health from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances or regulations."

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I would request my colleagues to vote "no" on the amendments offered for the reason that they will establish a dual inspection system. This bill provides for inspection and approval by the Department of Agriculture only.

Mr. WEINER. Mr. President, these amendments that we have put in would remove the Pittsburgh area and the Philadelphia area from this legislation, the reason being that we have a much superior inspection system existing at this moment in both areas than this bill can provide. I am sure there are other local areas, of which I am not aware at the moment, that probably have as good and if not a better inspection system than is provided in this bill. That is the reason why I ask that this be re-instated so that we do not have duality of inspection and annoyance of the people who happen to be in this business.

I ask my colleagues to vote "aye" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, with these amendments excluded by the vote here,—and we do not have the votes to put over amendments—this is a rather interesting Session. I guess the "dirty milk bill" ought to have a "dirty bread bill" follow it. On the basis of dirty milk and dirty bread, I ask my colleagues to vote "no" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Berger,	Keller,	Miller,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ruth,	Walker,
Ehrgood,	Madigan,	Seyler,	Watkins,
Elliott,	Mahady,	Shafer,	Whalley,
Flack,	Mallery,	Silvert,	Wolfe,
Harney,	McGinnis,	Stevenson,	Scott,
Hays,	McMenamin,	Taylor,	Presiding Officer

NAYS—12

Camiel,	Fleming,	Mullin,	Sarraf,
DiSilvestro,	Lane,	Murray,	Stiefel,
Donolow,	McCreesh,	Ripp,	Welner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1136, Printer's No. 1373, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Welner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,	Stevenson,	Presiding Officer
Hays,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading, and consideration of Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (P. L. 78) entitled "State Employees' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Probert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Welner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,	Silvert,	Scott,
			Presiding Officer

NAYS—1

Hays,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1205, Printer's No. 1484, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1213, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" changing requirements for admission or determination of certain patients further regulating the payment of costs for the care of such patients and limiting liability for such payment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Keller,	Mullin,	Taylor,
Blass,	Kessler,	Murray,	Van Sant,
Camiel,	Koprivier, Jr.,	Pechan,	Wade,
Chapman,	Kromer,	Probert,	Wagner,
Confair,	Lane,	Ripp,	Walker,
DiSilvestro,	Madigan,	Rooney,	Watkins,
Donolow,	Mahady,	Ruth,	Welner,
Ehrgood,	Mallery,	Sarraf,	Whalley,
Elliott,	McCreesh,	Shafer,	Wolfe,

Flack, Fleming, Harney,	McGinnis, McMenamin, Miller,	Silvert, Stevenson, Stiefel,	Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1472, entitled:

An Act authorizing the Department of Property and supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis,	McMenamin, Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER TEMPORARILY

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1592, Printer's No. 1773, on third reading, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2021, Printer's No. 1778; and

House Bill No. 2218, Printer's No. 1677,

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the sale of borough owned electric light plants and the effect thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis,	McMenamin, Miller, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—1

Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2335, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, Hays,	Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer an amendment at this time

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2, page 7, line 3, by striking out "RECORDER OF DEEDS" and inserting: "county treasurer."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2353, Printer's No. 1779, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printer's No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002; and
Senate Bill No. 1194, Printer's No. 1457.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 117, on second reading, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An Act relating to the retirement of state employees amending revising consolidating and changing the laws relating thereto" defining employees of redevelopment authorities as State employees.

be recommitted to the Committee on State Government.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 203, Printer's No. 79, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring the erection of certain warning signs on State Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 540, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the reversion of territory upon abolition of an independent school district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 717, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 734, on second reading, entitled:

An Act relating to tort claims against the Commonwealth waiving in part the Commonwealth's immunity from liability for certain torts providing for settlement by the Attorney General of tort claims under one thousand dollars (\$1000) permitting actions against the Commonwealth on larger tort claims or on appeal from the administrative process authorizing the payment of claims authorizing the Commonwealth to procure insurance against tort liability and prescribing certain other rules and limitations with regard to the administration of the act.

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 867, Printer's No. 1694;
Senate Bill No. 932, Printer's No. 1095;
House Bill No. 998, Printer's No. 1673; and
Senate Bill No. 1017, Printer's No. 1198.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1031, on second reading entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" providing for the issuance of special permits authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

be recommitted to the Committee on State Government.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1198, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1380, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color or national origin and prohibiting such discriminatory practices.

The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendment:

Amend Sec. 6, page 8, line 8, by inserting after "Commonwealth": "included under the provisions of this act."

It was agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth, and eleventh sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 1380, Printer's No. 1767, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1384, Printer's No. 1756;
House Bill No. 1443, Printer's No. 573;
House Bill No. 1639, Printer's No. 1396;
House Bill No. 1640, Printer's No. 1397;

House Bill No. 1646, Printer's No. 1486; and
House Bill No. 1648, Printer's No. 1210.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER TEMPORARILY

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1789, Printer's No. 847, on second reading, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1942, Printer's No. 1154;
House Bill No. 1977, Printer's No. 1783; and
House Bill No. 2033, Printer's No. 1675.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this Commonwealth" increasing the compensation of certain coroner's jurors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2361, Printer's No. 1780, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and

repealing all acts or parts of acts inconsistent therewith" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1592 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 4 of today's Third Reading Calendar, House Bill No. 1592, Printer's No. 1773, which previously went over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, next to last line of Title, by striking out "operator's" and inserting: "operators"; Amend Sec. 1 (Sec. 615), page 2, line 8, by striking out "operators'" and inserting: "Operators"; Amend Sec. 1 (Sec. 615), page 2, line 9 by striking out "operators'" and inserting: "Operators"; Amend Sec. 1 (Sec. 717), page 3, line 3 by striking out "operators'" and inserting: "operator's"; Amend Sec. 1 (Sec. 717), page 3, line 4 by striking out "operators'" and inserting: "operator's"; Amend Sec. 1 (Sec. 717), page 3, line 5 by striking out "During" and inserting: "during"; Amend Sec. 1 (Sec. 717), page 3, line 7 by striking out "learners" and inserting: "learner's"; Amend Sec. 1 (Sec. 717), page 3, line 9 by striking out "operators'" and inserting: "operator's"; Amend Sec. 1 (Sec. 717), page 3, lines 14 and 15 by striking out "FIVE DOLLARS (\$5.00)" in line 14, all of line 15 and inserting: "two dollars and fifty cents (\$2.50) per year"; Amend Sec. 1 (Sec. 717), page 3, line 16 by striking out "operators'" and inserting: "operator's"; Amend Sec. 1 (Sec. 717), page 4, line 4 by striking out "such" and inserting: "Such"; Amend Sec. 1 (Sec. 717), page 4, line 5 by striking out "motor license fund" and inserting: "Motor License Fund"; Amend Sec. 1 (Sec. 717), page 4, lines 5 and 6 by striking out "Auditor general" and inserting: "Auditor General"; Amend Sec. 1 (Sec. 717), page 4, line 7 by striking out "operators'" and inserting: "operator's"; Amend Sec. 2, page 4, line 9 by striking out "operators'" and in-

serting: "operator's"; Amend Sec. 2, page 4, line 12 by striking out "operators" and inserting: "operator's".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1592, Printer's No. 1773, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 1789 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 12 of today's Second Reading Calendar, House Bill No. 1789, Printer's No. 847, which went over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I now ask unanimous consent that House Bill No. 1789, Printer's No. 847, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 2100 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessments; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; * * *

and has appointed Messrs. POLEN, McCANN and A. M. LEE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2100 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2100, and that a Committee of Conference on the part of the Senate be appointed.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of

Messrs. KESSLER, CONFAIR and WEINER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 2100.

Ordered, That the Clerk inform the House of Representatives accordingly.

PETITIONS AND REMONSTRANCES

Mr. VAN SANT. Mr. President, today, the Senators and a number of the Senate employees had the opportunity of again becoming acquainted with the greatest county in the Commonwealth of Pennsylvania, that of Lehigh,—the most diversified county of the sixty-seven—for today each of the Senators and many of the visitors received an apple from the Trexler Orchards, which is in the heart of Lehigh County. These are just not ordinary apples. These are the same apples that have been winning prizes at the Farm Show for many years. Just two years ago, from the very same trees, came the grand champion apple of the State of Pennsylvania.

I would like to publicly express my sincere gratitude to Mr. John Linde and the personnel of the Trexler Orchards, in Lehigh County at Schnecksville, for their generosity in supplying us with our apple for today.

The PRESIDING OFFICER. I think the Chair should take this opportunity to thank the gentleman from Lehigh, Senator Van Sant, for his generosity.

Mr. HAYS. Mr. President, I want to first of all admit that Lehigh County is the third best county in the State, but that is not what I came here to speak about. We do appreciate the apples.

On January 2, 1959, I received a copy of a 131 page report entitled, "Higher Education in Pennsylvania—Analysis of Problems with Proposals," and on that day heard the chairman of the panel that prepared the report, a distinguished Pennsylvania educator, Chancellor Edward H. Litchfield of the University of Pittsburgh, give to the task force of the Joint State Government Commission the highlights of this same report. During the past two weeks, a statement concerning this report has been released to the press by Doctor Litchfield. The reason or reasons for its release by the Chairman of the Panel instead of by the Joint State Government Commission releasing it is not entirely clear to me, but that is not the phase of the situation that I want to comment on today.

I feel very humble in my analysis of the Litchfield report, for I realize that my words are those of a small town, small time schoolteacher against a giant of a scholar with tremendous resources behind him and within him. However, these suggestions were made directly to Doctor Litchfield soon after I received the January 2nd report, and so what I am about to say now is in no way new to him.

The study contains much data, valuable to any person or group or State agency that wishes to work on the problem of higher education, a problem that in my opinion has been too long neglected and is still neglected in the Commonwealth. The phase of the report dealing with the analysis of the problem takes on masterpiece proportions, is highly commendable and deserves high praise. The amazing phase of the report to me is the fact that given the data on which to base a proposal, in my opinion, the proposed solution fails to use such data, and even goes counter to it.

In the summer of 1958, I attended a conference at Williamsport, called by Doctor Litchfield, attended by many other Senators, and you probably attended similar conferences in other parts of the State. I was much impressed with the data presented by him and his colleagues on their recent trip to Russia, particularly in the field of higher education. Here are some data given at that time:

"Americans are ready to tax themselves to meet the Soviet Union's massive preparation of weapons, to catch up with her in exploration of outer space, and to compete economically for the good will of neutral or uncommitted countries.

"Yet there is a strange unawareness among Americans that the Soviets are deliberately developing a vast system of higher education as a means for world domination. In our race to match Soviet hardware, are we overlooking the need to win the race to match brainpower?

"Basing our comments on a study which two of our group helped to make on a trip to the Soviet Union earlier this year, we are only too aware that unless America puts the same kind of support behind education as do the Soviet, we may win the hardware race only to fail in the long race for world leadership.

"In the field of higher education, which is the ultimate producer of scientific and intellectual leadership, the Soviet Union is investing a far larger proportion of its national resources than is America. By way of illustration:

"In nine years, more than \$200,000,000 has been invested in construction of buildings for the University of Moscow alone and construction is still proceeding.

"Basic faculty salaries are among the highest professional salaries in the nation and the teacher's prestige is high.

"The Leningrad Library, which is not the largest in Russia, has 1,000,000 more volumes than the libraries of the University of Pennsylvania, University of Pittsburgh, Temple University, and Pennsylvania State University combined."

Other facts coming from the Williamsport meeting, and also carried in the report entitled "Higher Education in Pennsylvania," are these:

In the percentage of total State expenditures devoted to higher education, Pennsylvania ranks thirty-ninth among the forty-eight States. In terms of expenditures for higher education per capita of population, it ranks forty-fourth, and in relationship to individual incomes, it ranks forty-fifth.

Now with that kind of a backdrop, we next look to the projection of the panel to the higher education needs in Pennsylvania in 1970, and their proposal for meeting these needs. Here, it seems to me, is a most amazing reversal of form. Here is the proposal according to the data of the panel: In 1958, the State provided twenty per cent of the cost of higher education in Pennsylvania, and the student contributed thirty-four per cent. You must keep those numbers in mind for the student contributes or supports himself in college at the present time in Pennsylvania one and seven-tenths times the amount provided by the State.

Now with the knowledge that the State now ranks thirty-ninth, forty-fourth and forty-fifth in some of these important categories, indicating the wealth of the Commonwealth, it was shocking, surprising and distasteful to me to find that the panel proposes in 1970 that the State's share of higher education support shall be reduced from twenty per cent to eighteen per cent, while now with only one-half of the eligible students in college admitted by

Doctor Litchfield, the student's share is increased from the thirty-four per cent figure in 1958 to a forty-nine per cent figure in 1970. The relationship changes from one to one and seven-tenths to one to two and seven-tenths. This seems like a very strange manner in which to recommend that the United States keep up in its educational race with the USSR.

I deeply regret this proposal, for if it should be carried out, it would seem to me that the great dream of America for a higher education for every boy with brainpower, regardless of the economic status of his parents, fades. This proposal, if carried out, is a shattering blow to the dream of the poor boy with demonstrated talent in the mining towns, on the marginal farm hillsides and in the less favored economic areas in many of our cities.

I doubt if the United States is strong enough to discard this precious resource and talent in a manner that this proposal would do.

In 1965 and 1970, let us have the college and university classrooms and laboratories occupied by those youths whose chief inheritance is brainpower, rather than by those whose chief inheritances are gilt-edged bonds and hardtops from indulgent fathers. Increasing college costs one and one-half times to the student is a poor way, in my humble opinion, to prepare America for existence on this earth in 1970.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as committed, Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the composition of the return board.

BILL ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the composition of the return board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. FLEMING. Mr. President, I move that the Senate do now adjourn until Thursday, October 15, 1959, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. BERGER. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 5:27 o'clock, p. m., Eastern Standard Time, until Thursday, October 15, 1959, at 10:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, October 14, 1959.

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, quicken our pace that the race we run may bring the greatest good to the greatest number, lengthen our stride that the things we do may ever be a challenge to others seeking to match or imitate us, and enliven us with Thy thruth so that through patient continuance in well doing we may eventually obtain the goal by confronting others with Thy way of life. This we ask in the name and for the sake of our Lord and Saviour, Jesus Christ, to Whom be the honor and the glory. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, October 13, 1959 will be postponed until printed.

The Chair hears none.

The SPEAKER. The Chair has some bills to sign, and is asking the gentleman from Erie, Mr. Polaski, to preside.

Mr. POLASKI IN THE CHAIR

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numberd and entitled as follows:

SENATE BILL No. 1179.

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WARGO asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 494.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the assignment of pupils.

HOUSE BILL No. 794.

An Act amending "The Penal Code" approved June

24, 1939 (P. L. 872) providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses and extending the provisions of the act to include violations at certain additional parks.

HOUSE BILL No. 795.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park.

HOUSE BILL No. 1076.

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

HOUSE BILL No. 1649.

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

HOUSE BILL No. 1993.

An Act amending the act of March 26, 1873 (P. L. 48) entitled "An act authorizing the Supreme Court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

HOUSE BILL No. 2075.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for promotions for certain persons.

HOUSE BILL No. 2210.

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841) reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

HOUSE BILL No. 2211.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

SENATE MESSAGES

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2237

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2237.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrences Nos. 959, and 1861.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 274.

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purposes of attending conventions.

HOUSE BILL No. 621.

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto.

HOUSE BILL No. 1173.

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

HOUSE BILL No. 1175.

An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the government of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

HOUSE BILL No. 1176.

An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency.

HOUSE BILL No. 1229.

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An Act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws" extending the provisions thereof to include political subdivisions.

HOUSE BILL No. 1438.

An Act amending the "Fictitious Corporate Name Act" approved July 11, 1957 (P. L. 783) repealing the requirement that certificates of registration be cancelled after five years.

HOUSE BILL No. 1609.

An Act amending the act of June 4, 1945 (P. L. 1388) entitled as amended "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof * * * providing for the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance.

HOUSE BILL No. 1725.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Polk Venango County.

HOUSE BILL No. 1730.

An Act amending "The Administrative Code of 1929" approved April 1, 1929 (P. L. 177) changing the names of state penal and correctional institutions.

HOUSE BILL No. 1968.

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

HOUSE BILL No. 2110.

An Act authorizing the Dept. of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia, Pa.

HOUSE BILL No. 2267.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

HOUSE BILL No. 2270.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) regulating the marking of the means of ingress and egress in mines.

HOUSE BILL No. 2320.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

HOUSE BILL No. 2321.

An Act authorizing the Dept. of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres of land in Bensalem Township Bucks County and 13.34 acres of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres of land situate in Somerset Township Somerset County.

SENATE BILL No. 1103.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent laeve of absence was granted as follows:

Mrs. Munley for Mrs. MONROE for today because of illness.

Mr. Tompkins for Mr. T. H. W. JONES for the remainder of the week.

Mr. Thompson for Mr. STROUP for the week.

Mr. Tompkins for Mrs. HENZEL for today.

REPORTS FROM COMMITTEE

Mr. CAPANO from the Committee on Education, reported as amended, House Bill No. 1261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutionalized children in counties of the second class, the cost thereof to be paid by the Commonwealth.

Mr. PARLANTE from the Committee on Labor Relations, reported as committed, House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by removing certain restrictions on the application of the act.

Mr. SHERMAN from the Committee on Education, reported as committed, House Bill No. 2029, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for tuition payments to the State by pupils attending State Teachers' College training schools.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) changing provisions relating to benefits payable to certain alien non-residents.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1799, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

Mr. ROVANSEK from the Committee on Education, reported as amended, Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

Mr. DENGLER from the Committee on Education, reported as amended, Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

Mr. FLOYD from the Committee on Education, reported as committed, Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

Mr. EILBERG from the Committee on Judiciary, reported as committed, Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by removing certain restrictions on the application of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2029, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for tuition payments to the State by pupils attending State Teachers' College training schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WORLEY. I rise to a question of personal privilege.
The SPEAKER pro tempore. The gentleman will state it.

Mr. WORLEY. On page 3380 of the September 2, 1959, issue of the Pennsylvania Legislative Journal, the name of William P. Cairo is not spelled correctly. The copy of the letter I read and submitted for the record on September 2, 1959, contains the correct spelling of William P. Cairo's name. I request that the Pennsylvania Legislative Journal of September 2, 1959, be corrected so as to spell the name of William P. Cairo correctly.

QUESTION OF PERSONAL PRIVILEGE

Mr. STECKEL. I rise to a question of personal privilege.
The SPEAKER pro tempore. The gentleman will state it.

Mr. STECKEL. Mr. Speaker, there has been distributed among the House Members a product of a County which I will not mention, and there has even been literature placed in our mail boxes.

Today, however, there will be distributed to you through the good offices of the Chief Clerk an agricultural product from the County of Lehigh; apples in commemoration of National Apple Week.

The only reason for my standing to make this statement is, do not be confused with other claims, no other apple can make this statement, whether it be from those other counties that are always presenting peaches and apples, you know, I will not mention them. These are, in spite of the advertising you find in your mail boxes, please be assured that these apples that you are about to receive are the products of Lehigh County.

The SPEAKER pro tempore. The Chair on behalf of the House, thanks the gentleman.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County * * *" changing the location at which the bridge is to be erected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

The House proceeded to the second reading and consideration of House Bill No. 818, entitled:

An Act amending the act of July 25, 1913 (P. L. 1024) entitled "Women's Labor Law" prohibiting the working of women for more than six consecutive days without at least one day of rest.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GAILEY offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, lines 4 to 6, by striking out "EXCEPT FOR FEMALE EMPLOYEES OF PUBLIC"

in line 4, all of line 5, and "TIONS INVOLVING SERVICE TO THE PUBLIC" in line 6.

Amend Sec. 1 (Sec. 3), page 3, line 7, by inserting after "rest": except that with the approval of the Secretary of Labor and Industry, a female employe may be employed or permitted to work for not more than ten (10) consecutive or non-consecutive days within a period of fourteen (14) consecutive days. Such approval shall be obtained annually and may be withdrawn by the Secretary of Labor and Industry for cause."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Mr. GAILEY offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after "rest": "except upon approval of the Secretary of Labor and Industry."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1963, entitled:

An Act amending the act of December 22, 1951 (P. L. 1715) entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings "removing the maximum limitation on salaries of councilmen.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2030, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) excluding municipal corporations and their agencies from the jurisdiction of the commission as to rates and services when such utility services are furnished outside the corporate limits.

The first section was read.

On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. KAMYK. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2171, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards * * *.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2386, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 1 (Sec. 4), page 4, lines 16 and 17, by striking out all of line 16 and "thousand dollars (\$625,500,000)" of line 17, and inserting: "six hundred twenty-six million two hundred thousand dollars (\$626,200,000)."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 1, line 15, by striking out "\$10,257,625," and inserting: "\$10,758,025."

Amend Sec. 2, page 6, line 4 by inserting a parenthesis after: "Show."

Amend Sec. 2, page 10, line 14 by striking out "Capel" and inserting: "Chapel."

Amend Sec. 2, page 11, line 7, by striking out "Construction of New Chapel (8)" and inserting: "Construct Disposal Plant Addition. (6)"

Amend Sec. 2, page 11, line 13 by striking out "Soldiers'" and inserting: "Soldiers'."

Amend Sec. 2, page 15, by inserting between lines 6 and 7: "(m) Construction of Dining Hall and Kitchen at Slippery Rock State Teachers College (23)."

Amend Sec. 2, page 15, line 7, by striking out "(m)" and inserting: "(n)."

Amend Sec. 2, page 21, line 17, by striking out "\$24,299,906," and inserting: "\$24,499,928."

Amend Sec. 2, page 22, line 3, by striking out "\$5,701,936," and inserting: "\$5,701,514."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 648, Printer's No. 1491, was passed over at the request of Mr. McCANN.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and for the collection of such assessments, claims, and liens.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds, and declaring the effect and validating certain prior transactions for the borrowing of money.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381), entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties," further regulating the height of fences around premises used for raising mink.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2409, entitled:

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township, Fayette County, to the government of the United States for use as a National Park, and with certain reservations, ceding jurisdiction over such lands.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2410, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, * * non-tidal waters of any river within the Commonwealth; * * *," providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued, and exempting concert music halls maintained by public or private charities from taxation.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class," clarifying the effective date.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2413, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2414, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for payment to posts of the Italian-American World War Veterans of the United States, Incorporated.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955), providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2419, entitled:

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), conferring rights on certain provisional employees and war-duration appointees.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2420, entitled:

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), changing the provisions relating to the effective date of certain laws.

Mr. MUSTO from the Committee on Appropriations, re-reported as committed, House Bill No. 1975, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), establishing the State Board of Examiners of Public Real Estate Valuers as a departmental administrative board in the Department of Public Instruction.

Mr. MUSTO from the Committee on Appropriations, re-reported as committed, House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement * * * defining

unlawful acts and acts now unlawful and providing penalties.

Mr. MUSTO from the Committee on Appropriations, re-reported as committed, House Bill No. 2354, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

Mr. HAMILTON from the Committee on Education, reported as amended, Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 112.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 114.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 119.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Resolution, Serial No. 112.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and for the collection of such assessments, claims, and liens.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds, and declaring the effect and validating certain prior transactions for the borrowing of money.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act

No. 381), entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties," further regulating the height of fences around premises used for raising mink.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2409, entitled:

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township, Fayette County, to the government of the United States for use as a National Park, and with certain reservations, ceding jurisdiction over such lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2410, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, * * * non-tidal waters of any river within the Commonwealth; * * *" providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued, and exempting concert music halls maintained by public or private charities from taxation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class," clarifying the effective date.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2413, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2414, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for payment to posts of the Italian-American World War Veterans of the United States, Incorporated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955), providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2419, entitled:

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), conferring rights on certain provisional employees and war-duration appointees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2420, entitled:

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019), changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 542, 832, 1305 and 1528

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 542, Printer's No. 239, entitled "An Act to regulate and establish the fees to be received by the clerk of oyer and terminer and

quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class."

DAVID L. LAWRENCE.

October 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 832, Printer's No. 898, entitled "An Act providing that members of the clergy shall not be compelled or allowed to testify to certain communications made to them in the course of their duties."

DAVID L. LAWRENCE.

October 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1305, Printer's No. 1648, entitled "An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to the imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act."

DAVID L. LAWRENCE.

October 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1528, Printer's No. 1636, entitled "An Act amending the act of April 29, 1959 (P. L.) No. 32 entitled 'The Vehicle Code' CHANGING THE DEFINITION OF COMMERCIAL MOTOR VEHICLE AND ADDING THE DEFINITION OF SUBURBAN MOTOR VEHICLES AND providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof."

DAVID L. LAWRENCE.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to outline the schedule of the House for today.

It is our intention to move on to the third reading calendar and act on some bills until approximately 1:30, Daylight Saving Time. At that time we well ask for a recess for lunch and for caucuses of the respective parties in their caucus rooms. Following the return from the caucus we expect to work until approximately 7:00 o'clock this evening cleaning up the calendar, or no later than 7:30, Daylight Saving Time.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2337, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of a livestock grading program.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—81

Anderson,	Foerster,	McCormack,	Polen,
Arlene,	Frascella,	McDonald,	Prendergast,
Bonner,	Galley,	McKeever,	Reidenbach,
Branca,	Gallagher,	McLaughlin,	Riley,
Breth,	Garlock,	Maxwell,	Sakulsky,
Burns,	Gefand,	Mihm,	Scarcell,
Capano,	Hamilton,	Mills,	Schaaf,
Capitolo,	Holt,	Muldowney,	Schuster,
Cianfrani,	Irlis,	Mullen,	Schwartz,
Cioffi,	Jenkins,	Munley,	Sherman,
Clarke,	Jim,	Murphy, A. J., Jr.	Stank,
Curwood,	Jones, F. R.,	Murray, J. J.,	Stone,
Dennis,	Kamyk,	Needham,	Sullivan,
Devlin,	Kovolenko,	O'Donnell, J. P.	Taylor,
Dougherty,	Lamb,	Parlante,	Trusio,
Ellberg,	Leonard,	Pashley,	Walsh,
Farabaugh,	Limper,	Perry, H. H.,	Wargo,
Filo,	Luigard,	Perry, P. E.,	Yatron,
Fineman,	Lutty,	Petrosky,	Yetter,
Floyd,	McCann,	Polaski,	Andrews,
Flynn,			Speaker

NAYS—97

Agnew,	Frank,	Light,	Rovansek,
Ashton,	Fulmer,	Lippincott,	Royer,
Auker,	Gibb,	Lopresti,	Seltzer,
Balthaser,	Goldstein,	McCandless,	Shupnik,
Barton,	Goodrich,	McInroy,	Snare,
Bell,	Gramlich,	Machmer,	Steckel,
Blair,	Guthrie,	Mahan,	Stevens,
Boris,	Heffner,	Meholchick,	Stewart,
Bower,	Helm,	Merry,	Stimmel,
Bowman,	Hocker,	Miller, B. Z.,	Stoner,
Brenninger,	Holliday,	Miller, H. G.,	Strausser,
Brown,	Horst,	Murphy, P. J.,	Tompkins,
Buchanan,	Isaacs,	Murray, H. P.,	Ujosal,
Crossin,	Johnson, A. W.,	Musto,	Varner,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jump,	O'Dell,	Wall,
Donahue,	Kee,	O'Donnell, J. A.,	Weldner,
Donaldson,	Kelser,	Odoristo,	Whittaker,
Down,	Kernaghan,	Ogilvie,	Williams, A.D., Jr.,
Edwards,	Kessler,	Price,	Willard,
Eshback,	Knecht,	Pursley,	Willaredt,
Eshleman,	Kooker,	Reibman,	Wilt,
Ewing,	Kubitsky,	Renwick,	Wood,
Fetterolf,	Lee, A. M.,	Rigby,	Worley,
Fox,			

NOT VOTING—30

Boles,	Kornick,	Nelson,	Varallo,
Comer,	Korns,	O'Neil,	Welsh,
Cooper,	Lee, K. B.,	Rudisill,	Wescott,
Dennison,	Magee,	Silverman,	Wheeler,
George,	Markley,	Snider,	Williams, E. S.,
Heavy,	Monroe,	Stroup,	Wynd,
Henzel,	Moran,	Thompson,	Zimmerman,
Jones, T. H. W.,	Murray, P. G.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2372, entitled:

An Act amending the "Public School Code of 1949"

approved March 10, 1949 (P. L. 30) authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Anderson,	Frank,	McCandless,	Renwick,
Arlene,	Frascella,	McCann,	Rigby,
Auker,	Fulmer,	McCormack,	Riley,
Balthaser,	Garley,	McDonald,	Rovansek,
Barton,	Gallagher,	McInroy,	Royer,
Beil,	Garlock,	McKeever,	Sakulsky,
Blair,	Gelfand,	McLaughlin,	Scarcelli,
Bonner,	Goldstein,	Machmer,	Schaaf,
Boris,	Goodrich,	Mahan,	Schuster,
Bower,	Gramlich,	Maxwell,	Schwartz,
Bowman,	Guthrie,	Meholchick,	Seltzer,
Branca,	Hamilton,	Merry,	Sherman,
Brenninger,	Heffner,	Mihm,	Shupnik,
Breth,	Helm,	Miller, B. Z.,	Snare,
Buchanan,	Hocker,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Steckel,
Capano,	Holt,	Muldowney,	Stevens,
Capitolo,	Horst,	Mul'en,	Stewart,
Cianfrani,	Iris,	Munley,	Stimmel,
Cloff,	Isaacs,	Murphy, A. J., Jr.,	Stone,
Clarke,	Jenkins,	Murphy, P. J.,	Stoner,
Crossin,	Jim,	Murray, H. P.,	Strausser,
Curwood,	Johnson, A. W.,	Murray, J. J.,	Sullivan,
Dengler,	Johnson, R.,	Musto,	Taylor,
Dennis,	Jones, F. R.,	Naugle,	Trusio,
Devlin,	Jump,	Needham,	Varner,
Donahue,	Kamyk,	O'Donnell, J. A.,	Verona,
Dougherty,	Kee,	O'Donnell, J. P.,	Wall,
Down,	Kelser,	Odorisio,	Walsh,
Edwards,	Kernaghan,	Ogilvie,	Wargo,
Eilberg,	Kessler,	Parlante,	Weidner,
Eshback,	Kooker,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Willard,
Farabaugh,	Lamb,	Petrosky,	Willaredt,
Fetterolf,	Lee, A. M.,	Polaski,	Wood,
Fillo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Yatron,
Floyd,	Limper,	Price,	Yetter,
Flynn,	Lopresti,	Reibman,	
Froster,	Lulgard,	Reidenbach,	
Fox,	Lutty,		Andrews,
			Speaker

NAYS—13

Agnew,	Donaldson,	Lippincott,	Tompkins,
Ashton,	Gibb,	O'Dell,	Ujohal,
Brown,	Knecht,	Pursley,	Wilt,
Davis,			

NOT VOTING—30

Boles,	Kornick,	Nelson,	Varallo,
Comer,	Korns,	O'Neill,	Welsh,
Cooper,	Lee, K. B.,	Rudisill,	Wescott,
Dennison,	Magee,	Silverman,	Wheeler,
George,	Markley,	Snider,	Williams, E. S.,
Heavy,	Monroe,	Stroup,	Wynd,
Henzel,	Moran,	Thompson,	Zimmerman,
Jones, T. H. W.,	Murray, P. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2380, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the game commission to

authorize hunting or trapping by certain persons upon good cause shown.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors of the bill.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, am I correct in saying that this bill is an amendment to the Game Law and that the amendment purports to mitigate the penalty for the first offense where a person is convicted of killing a deer during any deer season unlawfully?

Mr. BRETH. Mr. Speaker, the question is not clear to me.

Mr. McCORMACK. Mr. Speaker, under the present law, if under certain specific instances a deer is killed, not in accordance with the Game Law, there is a certain penalty involved. Is that correct?

Mr. BRETH. It depends upon the conditions, Mr. Speaker. You can kill a deer by hitting it with a car, there would be no penalty.

Mr. McCORMACK. Well Mr. Speaker, I do not want to read Section 731, penalties, sub-paragraph 2, but that section of the Game Law provides, except as otherwise herein provided for hunting, or chasing, or catching, or taking, or killing, or wounding, or receiving, or delivering, or transporting, or shipping, or using, or concealing, or assisting to conceal, or having in possession, or attempting to hunt for, catch, and so forth, for a violation of a provision of this particular Article, the bill further sets out that for each deer the penalty shall be \$100 during any deer season.

Mr. BRETH. Is the gentleman sure it says \$100 in any deer season?

Mr. McCORMACK. Well, this,—

Mr. BRETH. Mr. Speaker, I am afraid the gentleman is a little confused or else he has not read the law.

Mr. McCORMACK. I am not a little confused, I have before me House Bill 2380 referring specifically to the penalty section, line 19 of page 2.

Mr. BRETH. Mr. Speaker, I will be glad to tell the House, in common, understandable, everyday terms what this bill does.

Mr. McCORMACK. Mr. Speaker, would the gentleman just answer my question, if it is not clear I would be glad to attempt to clarify it. Would the gentleman refer to line 19, on page 2 of House Bill 2380?

Mr. BRETH. Yes, go ahead.

Mr. McCORMACK. Would you read that particular sentence and provide the punctuation that is not in the bill?

Mr. BRETH. No. but I will explain what it does. I cannot provide punctuation because that is somebody else's business, not mine.

Mr. McCORMACK. Well, so that it is understood, I would like the gentleman to tell me whether or not—

Mr. BRETH. Mr. Speaker, I would like to ask the gentleman a question, if he will consent.

The SPEAKER pro tempore. Will the gentleman consent to be interrogated?

Mr. McCORMACK. Well, Mr. Speaker, the gentleman is an expert on Game Law and I am not. I merely want to get some information and I want him to answer my question, at the end of which I will be glad to be interrogated by him. I want him to read that section beginning on line 19, so that it makes grammatical sense.

Mr. BRETH. Mr. Speaker, as I said, I will be very happy to tell the gentleman what this bill does, and line 19 says, "If Each deer one hundred dollars during any deer season at any other time for the first offense one hundred dollars and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of three years," now I can go on, but I cannot punctuate that.

Mr. McCORMACK. Very well. Now, that penalty goes into effect when?

Mr. BRETH. Mr. Speaker, I will explain this bill the way the sportsmen and the hunters understand it and the way the Game Commission enforces it. I am no lawyer and I will not be trapped into getting—

Mr. McCORMACK. Mr. Speaker—

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Thank you, Mr. Speaker. I believe I personally understand the gentleman's purpose in interrogating me on this bill. Therefore, to remove it from that field of controversy I wish to yield to the other sponsor of the bill, the gentleman from Cameron, Mr. Tompkins, who is thoroughly familiar with the bill and very highly qualified to answer the gentleman's question.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, yield to the gentleman from Cameron, Mr. Tompkins?

Mr. McCORMACK. Mr. Speaker, I will not yield to him. I want to ask a question.

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, agree to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. On line 19 of page 2 of the bill, when does that penalty set forth therein attach to a person?

Mr. TOMPKINS. What was that? I did not get the last part of that, Mr. McCormack, I am sorry.

Mr. McCORMACK. When does this penalty attach to a person?

Mr. TOMPKINS. That penalty attaches upon conviction.

Mr. McCORMACK. For what offense?

Mr. TOMPKINS. For the killing of a deer.

Mr. McCORMACK. For what?

Mr. TOMPKINS. For the killing of a deer.

Mr. McCORMACK. For killing a deer, how?

Mr. TOMPKINS. Illegally.

Mr. McCORMACK. Illegally. That section provides for the first offense there shall be a penalty of \$100, and also the person convicted to be denied the right to hunt or trap anywhere in the Commonwealth with or without a license for a period of three years, is that correct?

Mr. TOMPKINS. That is right.

Mr. McCORMACK. Now on line 4, page 3 of the bill there is an amendment that provides "for the second and each subsequent offense two hundred dollars and the person convicted shall be denied the right to hunt or

trap anywhere in this Commonwealth with or without a license for a period of three years," is that correct?

Mr. TOMPKINS. That is correct.

Mr. McCORMACK. Now, if there is a first offense would the language after the upper case amendment beginning on line 4 on page 3 "except that after the convicted person has been denied the right to hunt or trap anywhere in this Commonwealth for a period of one year the Commission upon good cause shown may grant the right to hunt or trap anywhere in this Commonwealth to the person convicted." Would that language apply both where a person is convicted for the first offense of killing a deer illegally?

Mr. TOMPKINS. It does, yes sir.

Mr. McCORMACK. Can the gentleman explain to me why that language does not begin on line 4 of page 3, rather than after the "subsequent offense"?

Mr. TOMPKINS. Here is what you have in connection with matters of this kind. Many people are convicted of killing deer. There is a mandatory three year suspension of their license upon conviction, at the present time. In many instances it is found that after the end of a year there is no justification for continuing that suspension, therefore—

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. I do not want to interrupt the gentleman, but I do not think he understands what I am trying to find out. It says that after the first offense, a person shall be deprived of the right to hunt for a period of three years, and it does not spell out, right at that point, that the person shall be given the right on good cause shown, after his privileges have been suspended for one year. It only spells that out after the section on subsequent offenses, and therefore I am questioning the language of the amendment. Does the gentleman understand my point?

Mr. TOMPKINS. I do not see anything in the bill stating anything about subsequent offenses. Where is there any language referring to second or subsequent offenses?

Mr. McCORMACK. On page 3, line 4, "and for the second and each subsequent offenses," do you have that?

Mr. TOMPKINS. Are you speaking on House Bill 2380 Printer's No. 1746?

Mr. McCORMACK. No, Mr. Speaker, Printer's No. 1762.

Mr. TOMPKINS. I do not have that. I have the wrong Printer's Number in my file.

Mr. FINEMAN. Mr. Speaker, I was going to inquire if the gentleman from Philadelphia, Mr. McCormack, would permit me to make a suggestion that would clarify the problem that he is raising and remove the necessity for this debate.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, yield to the gentleman from Philadelphia, Mr. Fineman?

Mr. McCORMACK. Well, I—

Mr. FINEMAN. Well, if he is perturbed by it, I will withdraw my request.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Fineman, has withdrawn his request.

Mr. McCORMACK. Am I correct, Mr. Speaker, in saying that the correct Printer's Number is 1762.

The SPEAKER pro tempore. The gentleman is correct, Printer's No. 1762.

Mr. TOMPKINS. I have that Printer's Number before me now, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, the gentleman was referring to the wrong printer's number.

Mr. TOMPKINS. I am sorry.

Mr. McCORMACK. Now, does the gentleman see line 4?

Mr. TOMPKINS. Yes.

Mr. McCORMACK. My question is, Mr. Speaker, that if the exception that is spelled out after the "the second and each subsequent offense" is applicable to a first offense, why is not that language put in on line 4 before the "second and each subsequent offense"? I am questioning the technical language of the bill, Mr. Speaker.

Mr. TOMPKINS. The technical language of the bill, the exception would refer not only to the second and subsequent offense, but also the first offense as well.

Mr. McCORMACK. Well, will the gentleman admit that it is not clear that this particular exception applies in the case of a first offense, under the language as written in this amendment?

Mr. TOMPKINS. I cannot interpret that into the bill, Mr. Speaker.

Mr. McCORMACK. Well, Mr. Speaker, it is quite apparent to me that the way the bill reads now the provision with respect to the exceptions does not apply where a person is convicted for the first offense, and the reason I say that it does not is that it clearly reads "for the first offense \$100 and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of three years." Now, and "for the second and each subsequent offense two hundred dollars and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of three years"—

Mr. TOMPKINS. Period.

Mr. McCORMACK. Period. "Except that after the convicted person has been denied the right to hunt or trap" and so forth. Now, is the gentleman saying that applies to both?

Mr. TOMPKINS. I would so interpret it, yes.

Mr. McCORMACK. Very well.

The SPEAKER pro tempore. Is the gentleman through interrogating the gentleman from Cameron, Mr. Tompkins?

Mr. McCORMACK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, this amendment provides that the Commission can, upon good cause shown after one year, reinstate the privileges of a person convicted for killing a deer illegally, is that correct?

The SPEAKER pro tempore. The Chair believes that is correct.

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, agree to be further interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. Was the answer "Yes"?

Mr. TOMPKINS. Will the gentleman repeat the question? I thought he had finished with the interrogation.

The SPEAKER pro tempore. Will the gentleman repeat the question?

Mr. TOMPKINS. We ought to get the gentleman out hunting and trapping a little bit, then he would have a little better knowledge of what this is all about. Proceed.

Mr. McCORMACK. The reason for this exception, Mr. Speaker, is it not, the fact that in some cases where a person's privilege to hunt has been suspended for a period of three years as a result of a conviction that it would work an unnecessary hardship in one case where mitigating circumstances might give the Commission the opportunity of restoring the privilege after he had been suspended for a year. Is that right?

Mr. TOMPKINS. The purpose is to give the Commission the discretion to restore it after the end of one year if the proper circumstances justify it.

Mr. McCORMACK. So as to have a little flexibility?

Mr. TOMPKINS. That is right.

Mr. McCORMACK. Now, would the gentleman agree, Mr. Speaker, that it is wise to not only give the Game Commission this right where a person is convicted under a first offense and also where he is convicted of subsequent offenses? Does the gentleman feel that it is still wise to give them that right?

Mr. TOMPKINS. There is no question about its being a wise thing to do, and as I interpret the bill that would give it to them. But if there is any doubt in the gentleman's mind being one of those legislators who want good clean, understandable legislation, I am perfectly willing to clarify it so that there will be no question about it.

Mr. McCORMACK. The gentleman does not have to hedge, Mr. Speaker. I just want to get a good bill. Now let me ask the gentleman this—

Mr. TOMPKINS. I am not hedging; I am just answering your questions.

Mr. McCORMACK. Is it your statement that you would be willing to place this on the postponed calendar?

The SPEAKER pro tempore. Will the gentleman yield?

Mr. McCORMACK. Is the gentleman inferring that he might be willing to place this on the final passage postponed calendar?

Mr. TOMPKINS. I am suggesting that if there is any question as to the clarity of the language or the purpose of this bill, I as one legislator do not want to pass ambiguous legislation.

Mr. McCORMACK. Mr. Speaker, then I want to clear up one other point. We have the situation where a person has killed a deer illegally and the Commission can restore his license. I refer you to title 3 of this bill where a person who kills a bear illegally has his license suspended for a period of five years, but that person under this amendment would not have any privileges or the Game Commission could not restore his license at the end of one year's suspension, is that correct?

Mr. TOMPKINS. That is right.

Mr. McCORMACK. That is a five-year suspension, is it not, Mr. Speaker?

Mr. TOMPKINS. It is a greater offense, too, Mr. Speaker.

Mr. McCORMACK. In what respect is it greater?

Mr. TOMPKINS. Because of the fewer number of the bear and the conservation policy involved in trying to conserve your bear population.

Mr. McCORMACK. Well, it is still a violation of the law and there is no provision in the law to provide an exception where mitigating circumstances would necessitate a person being given a break, is there?

Mr. TOMPKINS. You have the same variations in the discretion of the courts on various grades of offenses in the criminal code as well.

Mr. McCORMACK. Is it not a fact, Mr. Speaker, that if this bill is passed giving the Game Commission the right to restore privileges prior to the three year period, there is an opportunity to fix cases so to speak, not only in a case where a person through a technical mistake has killed a deer illegally, but also where there has been a flagrant violation and subsequent violations, and is it not a fact that this is giving the Commission an opportunity to, shall I say, fix a case?

Mr. TOMPKINS. Mr. Speaker, I do not think that question merits the dignity of an answer. I think the gentleman is impugning the integrity of the Game Commission.

Mr. McCORMACK. Well, Mr. Speaker, facts are facts, and I am referring to the opportunity which such a bill would provide. Whether or not the Game Commission would do it, I am not questioning. I am merely saying that this would give them an opportunity where the person has not been convicted once, but on subsequent occasions, more than once. I am suggesting to provide an exception in a case where a person is convicted for the first time might be all right, but where you have subsequent conviction, does the gentleman still think it is wise for the Game Commission to be given that Authority?

Mr. TOMPKINS. The Game Commission is part of the executive branch of this government, the same as numerous other boards and commissions on this Hill, to whom we grant discretionary powers and I am not going to stand here and say that the Game Commission is subject to political pressures, corrupt voters, or anything else, more than any other board or commission on this Hill.

Mr. McCORMACK. Mr. Speaker, does the gentleman say that the Game Commission has discretionary power?

Mr. TOMPKINS. In a great many matters, yes sir.

Mr. McCORMACK. Does it have the discretionary power in this instance?

Mr. TOMPKINS. Not at the present time, no sir. That is what we are trying to do, grant them discretionary power.

Mr. AUKER. Mr. Speaker, I have studied this bill very carefully, and I do not very often agree with the gentleman from Philadelphia, Mr. McCormack, but I am forced to do so in this case.

Here is a bill that penalizes a man for a first offense for \$100 and suspension for three years for killing deer illegally, and that is right and it is good. However, I can see where possibly for a first offense there might be some mitigating circumstance and I could go along with a bill that might give the Game Commission discretionary power to restore that man's license upon showing that there were mitigating circumstances for that first offense, but when any man goes out and does the same thing for the second and third time, then I do not think there should be any discretionary power given to any Board to restore that man's license. If we are going to adopt these laws to prevent these kinds of abuses, then let us keep them firm enough, and make them harsh enough that they will act as a deterrent to those people who do it. I am against this bill unless the language of the bill is changed to read accordingly.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. A. D. WILLIAMS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. There was I believe a three-way debate here and an argument. I would like to ask Mr. Breth if he concurs.

Mr. BRETH. Mr. Speaker, I will be glad to concur and have the bill placed on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

A division was called for, more than a majority of the Members having voted in the affirmative the question was determined in the affirmative and the motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 380

Mr. WALSH. Mr. Speaker, I move that the vote by which Senate Bill No. 380, Printer's No. 1459, entitled:

"An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'Banking Code,' further regulating the making of installment loans,"

was defeated on final passage Tuesday, September 29, 1959, be reconsidered.

RECONSIDERATION OF VOTE

Mr. SCHWARTZ. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Walsh, vote on the final passage of this bill?

Mr. WALSH. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Schwartz, vote on the final passage of this bill?

Mr. SCHWARTZ. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. WALSH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I would like to request that all Democratic Members bring with them their House calendars to the caucus. I request a recess of this House for one hour and thirty minutes; thirty minutes for lunch and then a caucus of one hour.

Mr. A. W. JOHNSON. Mr. Speaker, the Republican party would like to do likewise, thirty minutes for lunch and a one-hour caucus.

We would appreciate it if the Majority Leader would announce the schedule for the balance of the week.

Mr. McCANN. Mr. Speaker, the schedule for the week will be tomorrow, Thursday, beginning at 10:00 a. m. The bills we are moving up from second reading, plus the amended bills today, will be voted on tomorrow. We are moving right along to clean up the calendar. Then the House will convene on Monday.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess until 3:30 p. m. DST.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LIMPER asked and obtained permission for the Committee on Cities—Counties—First Class to meet during the session of the House.

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILL INTRODUCED AND REFERRED

By Messrs. DEVLIN and TOMPKINS.

HOUSE BILL No. 2422.

An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3), correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 308.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing the Pennsylvania State Police to charge a fee for accident investigation reports or portions thereof made available to interested persons.

Referred to the Committee on Rules.

SENATE BILL No. 759.

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewerage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" providing that such authorities shall pay their pro rata share of the expenses of water utilities incurred in providing such services.

Referred to the Committee on Rules.

SENATE BILL No. 873.

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

Referred to the Committee on Rules.

SENATE BILL No. 933.

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

Referred to the Committee on Rules.

SENATE BILL No. 977.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing Boards of trustees of State Teachers Colleges to enter in contracts for supplies and maintenance of buildings in certain cases.

Referred to the Committee on Rules.

SENATE BILL No. 995.

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police and limiting the use of the moneys received from such contracts.

Referred to the Committee on Rules.

SENATE BILL No. 1032.

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications and imposing certain duties upon the Joint State Government Commission.

Referred to the Committee on Rules.

SENATE BILL No. 1133.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

Referred to the Committee on Rules.

SENATE BILL No. 1168.

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale

of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

Referred to the Committee on Rules.

SENATE BILL No. 1169.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

Referred to the Committee on Rules.

SENATE BILL No. 1170.

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

Referred to the Committee on Rules.

SENATE BILL No. 1171.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

Referred to the Committee on Rules.

SENATE BILL No. 1172.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

Referred to the Committee on Rules.

SENATE BILL No. 1175.

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

Referred to the Committee on Rules.

SENATE BILL No. 1180.

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

Referred to the Committee on Rules.

SENATE BILL No. 1182.

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

Referred to the Committee on Rules.

SENATE BILL No. 1187.

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

Referred to the Committee on Rules.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Fineman, to preside.

Mr. FINEMAN IN THE CHAIR

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1822, Printer's No. 1134, together with communication from the Governor be taken from the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No 1822 FROM GOVERNOR.

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1822, Printer's No. 1134, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. MIHM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCANN vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Mihm vote on the final passage of this bill?

Mr. MIHM. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 4), page 3, line 9, by inserting after "action" "under the direction of such person as the Governor may designate acting for the Council."

Amend Section 2 (Section 4), page 3, line 10, by inserting after "any" "unusual."

Amend Section 2 (Section 4), page 3, line 11, by striking out "in peacetime."

Amend Section 2 (Section 4), page 3, line 11, by striking out "or."

Amend Section 2 (Section 4), page 3, line 11, by inserting after "from" "or incidental to atomic energy operations"

or the transportation handling use storage or disposal of radioactive objects or materials."

Amend Section 2 (Section 4), page 3, lines 12 to 18, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PRICE asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2380, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

RECONSIDERATION OF VOTE

Mr. BRETH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker, may I inquire of the gentleman from Clearfield, Mr. Breth, what the purpose is in taking the bill from final passage postponed calendar at this time?

The SPEAKER pro tempore. Does the gentleman desire to interrogate the gentleman from Clearfield?

Mr. AUKER. Yes, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, before the motion is put, I would like to ask the gentleman why he is taking the bill off the final passage postponed calendar at this time?

Mr. BRETH. Mr. Speaker, for the purpose of corrective amendments.

Mr. AUKER. Are those amendments to be offered this afternoon?

Mr. BRETH. That is right, Mr. Speaker.

Mr. AUKER. Mr. Speaker, may I further inquire of the gentleman whether or not there will be a chance, then, to offer other amendments which we have not prepared as yet, but which I know are being prepared to the bill? Can we have the action postponed until those amendments can be prepared and offered??

Mr. BRETH. Mr. Speaker, the bill will be prepared as amended for tomorrow. He can offer the amendments tomorrow.

Mr. TOMPKINS. Mr. Speaker, I do not know what the conversation was between the two parties, but the

gentleman from Clearfield, Mr. Breth, came to me after our debate this morning and suggested the amendments he was going to put in. The amendments he offered are clarifying amendments which will remove any ambiguities that were raised in the debate this morning. I do not know whether the gentleman from Blair has additional amendments that he wants to offer or not.

Mr. AUKER. Mr. Speaker, I am sorry, I guess I will have to ask a few more questions.

May I inquire of the gentleman from Clearfield what his amendments do at this time? Or, should I wait until the amendments are drawn?

Mr. BRETH. I will explain them when I offer them.

Mr. AUKER. It will probably save some time later on, Mr. Speaker, if I ask him now. Do the amendments proposed to be offered pertain only to that part of the bill which refers to the penalty for the first offense?

Mr. BRETH. These amendments, Mr. Speaker, will give the Game Commission the discretionary power without a shadow of a doubt in each offense.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 731), page 3, line 8, by striking out "except that after" and inserting "When."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 648 on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOPRESTI offered the following amendments:

Amend Sec. 1 (Sec. 4), page 2, line 3, by inserting after "be" "printed and shall be."

Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting after "All" "bills including bills with."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time, and agreed to as amended.
Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth with the establishment of a Board to hear such claims providing for appeals to the Supreme Court providing for salaries of the members of the Board the procedure to be followed and further providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—142

Anderson,	Frascella,	Machmer,	Riley,
Arlene,	Galley,	Mahan,	Rovansek,
Auker,	Gallagher,	Markley,	Sakulsky,
Balthaser,	Garlock,	Maxwell,	Scarcelli,
Blair,	Gelfand,	Meholchick,	Schaaf,
Boles,	Guthrie,	Mihm,	Schuster,
Bonner,	Hamilton,	Miller, B. Z.,	Schwartz,
Bower,	Heavey,	Mills,	Sherman,
Branca,	Heffner,	Muldowney,	Shupnik,
Brenninger,	Helm,	Mullen,	Silverman,
Breth,	Holt,	Munley,	Stank,
Buchanan,	Irlis,	Murphy, A. J., Jr.,	Steckel,
Burns,	Isaacs,	Murphy, P. J.,	Stewart,
Capano,	Jenkins,	Murray, H. P.,	Stimmel,
Capitolo,	Jim,	Murray, J. J.,	Stone,
Cianfrani,	Jones, F. R.,	Musto,	Sullivan,
Cioffi,	Jump,	Naugle,	Taylor,
Clarke,	Kamyk,	Needham,	Tompkins,
Comer,	Kee,	Nelson,	Trusio,
Crossin,	Kernaghan,	O'Donnell, J. A.,	Ujobal,
Curwood,	Knecht,	O'Donnell, J. P.,	Varallo,
Dengler,	Kovolenko,	Odoriso,	Varner,
Dennis,	Lamb,	O'Neill,	Verona,
Dennison,	Lee, A. M.,	Parlante,	Walsh,
Devlin,	Leonard,	Pashley,	Wargo,
Dougherty,	Light,	Perry, H. H.,	Welsh,
Edwards,	Lippincott,	Perry, P. E.,	Wescott,
Ellberg,	Limper,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lopresti,	Polaski,	Williams, E. S.,
Filo,	Luigard,	Polen,	Willaredt,
Fineman,	Lutty,	Prendergast,	Wilt,
Floyd,	McCann,	Price,	Yatron,
Flynn,	McCormack,	Pursley,	Yetter,
Foerster,	McDonald,	Reibman,	
Fox,	McKeever,	Reidenbach,	Andrews,
Frank,	McLaughlin,	Renwick,	Speaker

NAYS—50

Agnew,	Fetterolf,	Kooker,	Seltzer,
Ashton,	Fulmer,	Kubitsky,	Snare,
Barton,	George,	Lee, K. B.,	Stevens,
Bell,	Gibb,	McCandless,	Stoner,
Boris,	Goldstein,	McInroy,	Strausser,
Bowman,	Goodrich,	Magee,	Wall,
Davis,	Gramlich,	Merry,	Weidner,
Donahue,	Hocker,	Miller, H. G.,	Whittaker,
Donaldson,	Holliday,	O'Dell,	Willard,
Down,	Horst,	Ogilvie,	Wood,
Eshback,	Johnson, R.,	Rigby,	Worley,
Eshleman,	Kelser,	Royer,	Zimmerman,
Ewing,	Kessler,		

NOT VOTING—16

Brown,	Jones, T. H. W.,	Moran,	Stroup,
Cooper,	Kornick,	Murray, P. G.,	Thompson,
Henzel,	Korns,	Rudisill,	Wheeler,
Johnson, A. W.,	Monroe,	Snider,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission * * * authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

On the question,

Shall the bill pass finally?

Mr. McCANN. House Bill No. 2346, Printer's No. 1775, is an amendment to the Joint Legislative Commission, known as the Joint State Government Commission, in which the officers of each of the Houses may temporarily appoint a substitute for each of the people who serve on the executive commission.

This type of legislation certainly is needed. There are many times when commission meetings are held by this very change in the proposed amendment to the Joint State Government Commission executive body. For example, I, as a member of that commission, could temporarily appoint someone to serve in my capacity at one meeting in which a quorum or a particular subject may come up. The bill has been amended to cover all the positions of the executive committee to cover both the House and Senate, and to appoint only a substitute on a temporary basis.

Mr. Speaker, I ask that the Members support this legislation for it would certainly be helpful in the operation of the Commission.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—101

Anderson,	Frank,	Maxwell,	Renwick,
Arlene,	Frascella,	Meholchick,	Riley,
Balthaser,	Gallagher,	Mihm,	Rovansek,
Boles,	Garlock,	Mills,	Sakulsky,
Bonner,	Gelfand,	Muldowney,	Scarcelli,
Branca,	Hamilton,	Mullen,	Schaaf,
Breth,	Heavey,	Munley,	Schuster,
Burns,	Holt,	Murphy, A. J., Jr.,	Schwartz,
Capano,	Irlis,	Murray, J. J.,	Sherman,
Capitolo,	Jenkins,	Musto,	Shupnik,
Cianfrani,	Jim,	Needham,	Silverman,
Cioffi,	Jones, F. R.,	Nelson,	Stank,
Clarke,	Kamyk,	O'Donnell, J. A.,	Stone,
Comer,	Kovolenko,	O'Donnell, J. P.,	Sullivan,
Crossin,	Lamb,	O'Neill,	Taylor,
Curwood,	Leonard,	Parlante,	Trusio,
Dennis,	Limper,	Pashley,	Varallo,
Devlin,	Lopresti,	Perry, H. H.,	Verona,
Dougherty,	Luigard,	Perry, P. E.,	Walsh,
Ellberg,	Lutty,	Petrosky,	Wargo,
Farabaugh,	McCann,	Polaski,	Welsh,
Filo,	McCormack,	Polen,	Yatron,
Fineman,	McDonald,	Prendergast,	Yetter,
Floyd,	McKeever,	Reibman,	
Foerster,	McLaughlin,	Reidenbach,	Andrews,
	Machmer,		Speaker

NAYS—82

Agnew,	Fulmer,	Lee, K. B.,	Seltzer,
Ashton,	George,	Light,	Snare,
Auker,	Gibb,	Lippincott,	Steckel,
Barton,	Goldstein	McCandless,	Stevens,
Bell,	Goodrich,	McInroy,	Stimmel,
Blair,	Gramlich,	Magee,	Stoner,
Boris,	Guthrie,	Mahan,	Strausser,
Bower,	Heffner,	Markley,	Tompkins,
Bowman,	Hocker,	Merry,	Varnier,
Buchanan,	Holliday,	Miller, B. Z.,	Wall,
Davis,	Horst,	Miller, H. G.,	Weidner,
Dennison,	Isaacs,	Murphy, P. J.,	Wescott,
Donahue,	Johnson, R.,	Murray, H. P.,	Whittaker,
Donaldson,	Kee,	Naugle,	Williams, A. D., Jr.,
Down,	Kelser,	O'Dell,	Williams, E. S.,
Edwards,	Kernaghan,	Odorisio,	Willard,
Eshback,	Kessler,	Ogilvie,	Wilt,
Eshleman,	Knecht,	Price,	Wood,
Ewing,	Kooker,	Pursley,	Worley,
Fetterolf,	Kubitsky,	Rigby,	Zimmerman,
Fox,	Lee, A. M.,		

NOT VOTING—25

Brenninger,	Johnson, A. W.,	Moran,	Stroup,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Thompson,
Cooper,	Jump,	Royer,	Ujobal,
Dengler,	Kornick,	Rudisill,	Wheeler,
Galley,	Korns,	Snider,	Willaredt,
Helm,	Monroe,	Stewart,	Wynd,
Henzel,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) authorizing tax collectors to deduct commissions from taxes which he has collected.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Rigby,	McCormack,	Royer,
Arlene,	Riley,	McDonald,	Sakulsky,
Ashton,	Fulmer,	McInroy,	Scarcelli,
Auker,	Galley,	McKeever,	Schaaf,
Balthaser,	Gallagher,	McLaughlin,	Schuster,
Barton,	Garlock,	Machmer,	Schwartz,
Bell,	Gelfand,	Magee,	Seltzer,
Blair,	George,	Mahan,	Sherman,
Boles,	Gibb,	Markley,	Shupnik,
Bonner,	Goldstein	Maxwell,	Silverman,
Boris,	Goodrich,	Meholchick,	Snare,
Bower,	Gramlich,	Merry,	Stank,
Bowman,	Guthrie,	Mihm,	Steckel,
Branca,	Hamilton,	Miller, B. Z.,	Stevens,
Breth,	Heavey,	Miller, H. G.,	Stewart,
Buchanan,	Heffner,	Mills,	Stimmel,
Burns,	Helm,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Sullivan,
Cioffi,	Irviss,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Varallo,
Curwood,	Johnson, R.,	Naugle,	Varnier,
Davis,	Jones, F. R.,	Needham,	Verona,
Dennis,	Jump,	Nelson,	Wall,
Dennison,	Kamyk,	O'Dell,	Walsh,
Devlin,	Kee,	O'Donnell, J. A.,	Wargo,
Donahue,	Kelser,	O'Donnell, J. P.	Weidner,
Donaldson,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,

Down,	Knecht,	O'Neil,	Whittaker,
Edwards,	Kooker,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Pashley,	Williams, E. S.,
Eshback,	Kubitsky,	Perry, H. H.,	Willard,
Ewing,	Lamb,	Perry, P. E.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Limper,	Prendergast,	Yatron,
Floyd,	Lippincott,	Price,	Yetter,
Flynn,	Lopresti,	Pursley,	Zimmerman,
Foerster,	Luigard,	Reibman,	
Fox,	Lutty,	Reidenbach,	
Frank,	McCandless,	Renwick,	Andrews,
			Speaker

NAYS—3

Eshleman,	Hocker,	Light,
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NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law" approved June 23, 1931 (P. L. 899) setting forth requirements for accident prevention and life-saving equipment and personnel at public bathing places.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Agnew,	Fulmer,	McCormack,	Rovansek,
Anderson,	Galley,	McDonald,	Royer,
Arlene,	Gallagher,	McInroy,	Sakulsky,
Auker,	Garlock,	McKeever,	Scarcelli,
Balthaser,	Gelfand,	McLaughlin,	Schaaf,
Barton,	George,	Machmer,	Schuster,
Bell,	Gibb,	Mahan,	Schwartz,
Boles,	Goldstein	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Guthrie,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Branca,	Heavey,	Mihm,	Snare,
Breth,	Heffner,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stevens,
Capano,	Holliday,	Muldowney,	Stewart,
Capitolo,	Holt,	Mullen,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irviss,	Murphy, A. J., Jr.	Stoner,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Musto,	Trusio,
Davis,	Jones, F. R.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.	Walsh,
Donaldson,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Weldner,
	Knecht,	O'Neil,	Welsh,
	Kooker,	Parlante,	Wescott,
	Kovolenko,	Pashley,	Whittaker,
	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
	Lamb,	Perry, P. E.,	Williams, E. S.,
	Lee, A. M.,	Petrosky,	Willard,
	Lee, K. B.,	Polaski,	Willaredt,
	Leonard,	Polen,	Wilt,

Fetterolf,
Fllo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,
Frascella,

Light,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCann,

Prendergast,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rigby,
Riley,

Wood,
Worley,
Yatron,
Yetter,
Zimmerman,

Andrews,
Speaker

NAYS—9

Ashton,
Bowman,
Fox,

Goodrich,
McCandless,

Magee,
O'Dell,

Price,
Strausser,

NOT VOTING—19

Brenninger,
Brown,
Cooper,
Dengler,
Henzel,

Johnson, A. W.,
Jones, T. H. W.,
Kornick,
Korns,
Monroe,
Moran,
Murray, P. G.,
Rudisill,
Snider,
Stroup,

Thompson,
Ujobal,
Wheeler,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2399, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors.

On the question,

Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate one of the sponsors of this bill. I suggest the gentleman from Clearfield, Mr. O'Neil, since I previously told him I would ask to interrogate him.

The SPEAKER pro tempore. Will the gentleman from Clearfield, permit himself to be interrogated?

Mr. O'NEIL. Mr. Speaker, although the prime sponsors of this bill are in close proximity to the gentleman, in the interest of a cleaner and more beautiful Pennsylvania, I will attempt to answer.

Mr. LIPPINCOTT. Mr. Speaker, as I understand it, the first section of this bill deals with an amendment which makes it a crime to throw garbage and so forth from a vehicle, and I wonder if the gentleman would state whether this would not cover such things as an apple core or a banana peel or something like that?

Mr. O'NEIL. I would believe that garbage in a large or small quantity would be considered garbage.

Mr. LIPPINCOTT. Now, as I understand it, Mr. Speaker, the present law makes it a summary offense with a \$25 fine to throw such articles from a vehicle?

Mr. O'NEIL. I believe that is correct.

Mr. LIPPINCOTT. And this bill, as I understand it, would raise from \$25 to \$500, including the right to put a person in jail for six months and make it a misdemeanor, is that correct?

Mr. O'NEIL. That is correct.

Mr. LIPPINCOTT. And then, Mr. Speaker, the second section of the bill which covers throwing rubbish, cardboard or paper still apparently retains the \$25 fine, is that right?

Mr. O'NEIL. According to the amendments which was put into the bill, that is correct, Mr. Speaker.

Mr. LIPPINCOTT. Will the gentleman state whether this bill with the \$500 fine would cover a case where someone took a truckload of trash or garbage and backed off the road and dumped it on adjacent property to the highway?

Mr. O'NEIL. I would think it would, Mr. Speaker.

Mr. LIPPINCOTT. Is not the bill limited to cases where material such as that is thrown from a vehicle, as the bill itself states on page 2.

Mr. O'NEIL. The word used is "throw," I will admit.

Mr. LIPPINCOTT. Is the purpose of the bill to prevent, or, rather to put a severe penalty on where a person does back a vehicle off the road and dump a large pile of material?

Mr. O'NEIL. I would say that is one of the purposes, as well as to prevent the indiscriminate throwing of articles, garbage, paper, nails, bottles and so forth from moving vehicles, as well as one which has been pulled off, as you are implying, has parked and then dumped the garbage.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I think all of us in the House are opposed to litterbugs, and the bill that was passed recently passed rather overwhelmingly, as I recall it, but it seems to me to make it a misdemeanor with a fine of \$500 and perhaps six months in prison at the discretion of the judge, for throwing such things as an apple core or a banana peel, is going a little too far. I think even maybe \$100 would be sufficient and would be a great deterrent, but I think \$500 will merely result in a case where nobody is going to presecute these offenses.

Furthermore, I think having two separate categories is going to be very confusing to the people enforcing this law. For one thing, it will void a great many signs that have already been purchased by municipalities throughout the Commonwealth, covering the old bill, and new signs will have to be bought, which may not be too expensive, but is something that we should consider. You are going to have two different categories, and I think it will be very confusing. I feel that the penalty is entirely too severe.

I think also that the purpose of the bill, as Mr. O'Neil admitted, is not being met, that is, to prohibit dumping on property adjacent to the highways. I think this bill should be amended to take care of those corrections and in its present form I think it should be voted down.

Mr. GRAMLICH. Mr. Speaker, I have heard the remarks by my colleague, Mr. O'Neil, and also the objections to this bill by Mr. Lippincott.

I think every Member here realizes that we have a law on the books at this time that calls for a \$50 fine that covers the meat of the present bill. However, that has not been adequate. I could call to the attention of the Members here many violations of this and not one has been apprehended.

I want to read into the record an opinion as quoted in the Oil City Derrick of October 1. It is entitled, "Curbing The Litterbug," and I believe this editorial will cover many things that many Members have not thought about, and that is money. I quote the following:

Two bills introduced in the Pennsylvania General Assembly by Representative Harry S. Gramlich of Venango County are designed materially to strengthen and improve the state laws against litterbugging.

One of the bills would increase the penalty for the dumping of garbage, bottles, cans and other rubbish along the highways to a maximum fine of \$500 or 90 days in jail, or both. The penalty now is a fine of \$25 or up to 10 days in jail.

The other measure sets up provisions for the placing and maintenance of receptacles along the state highways for use by motorists.

The need for strong measures to cope with the all-too-common practice of litterbugging is clear. Not only does the practice despoil the scenic beauty of the countryside, but it's a costly proposition from the taxpayer's point of view.

The cost of cleaning up road side rubbish and trash in the country as a whole is estimated at upward of \$35,000,000 annually. The big outlay is in addition to in-city expenses to collect litter dropped on streets and curbs.

Don't forget, this is your money that is being poured out as the result of a dispicable practice for which there is absolutely no excuse. Everything that can possibly be done to stop the litterbug and save the taxpayers this bill of expense should be done.

It seems to us that the measures proposed by Mr. Gramlich constitute a forward step in the drive against litterbugging and merit approval.

That is the end of this clipping.

I also have another one here that just says, "Congratulations," from a gentleman.

I also have a letter here, ladies and gentlemen, from a Doctor, a very fine gentleman from my colleague's county, Doctor Bovard, from Tionesta. It runs:

Honorable Mr. Gramlich.

Dear Brother:

(I do not know, but maybe you can guess why it is brother!)

I certainly highly commend your bill concerning "litterbugs."

I have to stitch up many a foot which has come into contact with a broken beer bottle. I have had in prospect a 'Lions Club' campaign along this line.

With high respect for your bill,

Fraternally,
F. J. Bovard

Now, ladies and gentlemen, maybe this bill is not worded exactly properly, maybe it is not, but I do believe that there is no one in this House who would not go along with the thinking that is behind both this bill and the one that passed here a week or ten days ago. Therefore, I ask everyone to vote for the bill as it now stands.

Mr. ISAACS. Mr. Speaker, I am in sympathy with the purposes of this bill. I do not think anyone in the House appreciates litterbugging, but by the same token I oppose this proposed bill for the reason that we make a misdemeanor out of an offense that could be very easily, is presently, and with a greater fine, could be handled as a summary offense.

For the life of me I cannot see any good reason to have a bill of indictment by a grand jury and a trial by a court of record in an offense of this kind. Our courts are busy as it is and, not to make a pun, but we are just, by a bill of this kind, loading up our courts of record with a lot of trash.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Auker,	Floyd,	Kubitsky,	Perry, H. H.,
Barton,	Flynn,	Lee, A. M.,	Polaski,
Blair,	Foerster,	Lee, K. B.,	Polen,
Bower,	Fulmer,	Leonard,	Renwick,
Breth,	Galley,	Light,	Royer,
Buchanan,	Garlock,	Limper,	Sakulsky,
Burns,	George,	McCandless,	Schaaf,
Capano,	Gramlich,	McCann,	Schuster,
Capitolo,	Guthrie,	McDonald,	Schwartz,
Clarke,	Hamilton,	McInroy,	Seltzer,
Comer,	Hocker,	McLaughlin,	Snare,
Davis,	Holiday,	Magee,	Stank,
Dennison,	Holt,	Mahan,	Steckel,
Devlin,	Horst,	Merry,	Stone,
Donahue,	Irvis,	Mihm,	Stoner,
Donaldson,	Jim,	Miller, H. G.,	Taylor,
Dougherty,	Jones, F. R.,	Mills,	Weidner,
Down,	Kamyk,	Murray, H. P.,	Welsh,
Edwards,	Kee,	Naugle,	Williams, E. S.,
Eilberg,	Kelser,	Nelson,	Willard,
Ewing,	Kessler,	O'Dell,	Wilt,
Filo,	Knecht,	O'Donnell, J. A.,	Zimmerman,
Fineman,	Kooker,	O'Neil,	

NAYS—81

Anderson,	Isaacs,	Murray, J. J.,	Shupnik,
Arlene,	Jenkins,	Musto,	Silverman,
Ashton,	Johnson, R.,	Needham,	Stevens,
Balthaser,	Kernaghan,	O'Donnell, J. P.,	Strausser,
Bell,	Lamb,	Odoriso,	Sullivan,
Boris,	Lippincott,	Ogilvie,	Tompkins,
Branca,	Lopresti,	Parlante,	Varallo,
Cianfrani,	Luigard,	Pashley,	Varnier,
Crossin,	Lutty,	Perry, P. E.,	Verona,
Curwood,	McCormack,	Petrosky,	Wall,
Eshback,	McKeever,	Prendergast,	Walsh,
Eshleman,	Machmer,	Price,	Wargo,
Farabaugh,	Maxwell,	Pursley,	Whittaker,
Fetterolf,	Meholchick,	Reibman,	Williams, A.D., Jr.,
Fox,	Miller, B. Z.,	Reidenbach,	Wood,
Frascella,	Muldowney,	Rigby,	Worley,
Gallagher,	Mullen,	Riley,	Yatron,
Gelfand,	Munley,	Rovansek,	Yetter,
Gibb,	Murphy, A.J., Jr.,	Scarcelll,	Andrews,
Goldstein,	Murphy, P. J.,	Sherman,	Speaker
Goodrich,			

NOT VOTING—37

Agnew,	Frank,	Korns,	Stimmel,
Boles,	Heavey,	Kovolenko,	Stroup,
Bonner,	Heffner,	Markley,	Thompson,
Bowman,	Helm,	Monroe,	Trusio,
Brenninger,	Henzel,	Moran,	Ujosal,
Brown,	Johnson, A. W.,	Murray, P. G.,	Wescott,
Cioffi,	Jones, T. H. W.,	Rudisill,	Wheeler,
Cooper,	Jump,	Snider,	Willardt,
Dengler,	Kornick,	Stewart,	Wynd,
Dennis,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

Senate Bill No. 146, Printer's No. 1520 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69), entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Fox,	McCandless,	Reidenbach,
Anderson,	Frank,	McCann,	Renwick,
Arlene,	Frascella,	McCormack,	Rigby,
Ashton,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Royer,
Balthaser,	Garlock,	McKeever,	Scarcelli,
Barton,	Gallagher,	McLaughlin,	Schaaf,
Blair,	Gelfand,	Machmer,	Schuster,
Bonner,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Boris,	Goldstein,	Markley,	Sherman,
Bower,	Goodrich,	Maxwell,	Shupnik,
Bowman,	Gramlich,	Meholchick,	Silverman,
Branca,	Guthrie,	Merry,	Snare,
Breth,	Hamilton,	Mihm,	Stank,
Buchanan,	Heavey,	Miller, B. Z.,	Steckel,
Burns,	Heffner,	Miller, H. G.,	Stevens,
Capano,	Helm,	Mills,	Stewart,
Capitolo,	Holliday,	Muldowney,	Stimmel,
Cianfrani,	Holt,	Mullen,	Stone,
Cioffi,	Irvia,	Munley,	Stoner,
Clarke,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Comer,	Jenkins,	Murphy, P. J.,	Sullivan,
Crossin,	Jim,	Murray, H. P.,	Taylor,
Curwood,	Johnson, R.,	Murray, J. J.,	Tompkins,
Davis,	Jones, F. R.,	Musto,	Trusio,
Dennis,	Jump,	Naugle,	Varallo,
Dennison,	Kamyk,	Needham,	Verona,
Devlin,	Kee,	Nelson,	Wall,
Donahue,	Kernaghan,	O'Dell,	Wargo,
Donaldson,	Kessler,	O'Donnell, J. A.,	Weldner,
Down,	Knecht,	O'Donnell, J. P.,	Welsh,
Dougherty,	Kooker,	Odorisio,	Wescott,
Edwards,	Kovolenko,	Ogilvie,	Williams, A. D., Jr.,
Elberg,	Kubitsky,	O'Neil,	Williams, E. S.,
Eshback,	Lamb,	Parlante,	Willard,
Eshleman,	Lee, A. M.,	Pashley,	Willaredt,
Ewing,	Lee, K. B.,	Perry, H. H.,	Wilt,
Farabaugh,	Leonard,	Perry, P. E.,	Wood,
Fetterolf,	Light,	Petrosky,	Worley,
Filo,	Limper,	Polaski,	Yatron,
Fineman,	Lippincott,	Polen,	Yetter,
Floyd,	Lopresti,	Prendergast,	Zimmerman,
Flynn,	Luigard,	Price,	Andrews,
Foerster,	Lutty,	Reibman,	Speaker

NAYS—10

Bell,	Kelser,	Sakulsky,	Walsh,
Hocker,	Pursley,	Varner,	Whittaker,
Horst,	Rovansek,		

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Agnew,	Frascella,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovansek,
Arlene,	Galley,	McInroy,	Royer,
Ashton,	Gallagher,	McKeever,	Sakulsky,
Auker,	Garlock,	McLaughlin,	Scarcelli,
Balthaser,	Gelfand,	Machmer,	Schaaf,
Barton,	George,	Magee,	Schuster,
Bell,	Gibb,	Mahan,	Schwartz,
Blair,	Goldstein,	Markley,	Seltzer,
Boles,	Goodrich,	Maxwell,	Sherman,
Bonner,	Gramlich,	Meholchick,	Shupnik,
Boris,	Guthrie,	Merry,	Silverman,
Bower,	Hamilton,	Mihm,	Snare,
Bowman,	Heavey,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Buchanan,	Hocker,	Muldowney,	Stewart,
Capano,	Holliday,	Mullen,	Stimmel,
Capitolo,	Holt,	Munley,	Stone,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Irvia,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Sullivan,
Comer,	Jenkins,	Murray, J. J.,	Taylor,
Crossin,	Jim,	Musto,	Tompkins,
Curwood,	Johnson, R.,	Naugle,	Trusio,
Davis,	Jones, F. R.,	Needham,	Varallo,
Dennis,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kelser,	O'Donnell, J. A.,	Wall,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Dougherty,	Knecht,	Ogilvie,	Weldner,
Down,	Kooker,	O'Neil,	Welsh,
Edwards,	Kovolenko,	Parlante,	Wescott,
Elberg,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Willard,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lee, K. B.,	Petrosky,	Williams, E. S.,
Farabaugh,	Leonard,	Polaski,	Willaredt,
Fetterolf,	Light,	Polen,	Wilt,
Filo,	Limper,	Prendergast,	Wood,
Fineman,	Lippincott,	Price,	Worley,
Floyd,	Lopresti,	Pursley,	Yatron,
Flynn,	Luigard,	Reibman,	Yetter,
Foerster,	Lutty,	Reidenbach,	Zimmerman,
Fox,	McCandless,	Renwick,	Andrews,
Frank,	McCann,	Rigby,	Speaker

NAYS—0

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) including

certain diseases of fire-fighters within the meaning of the term occupational disease.

On the question,
Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, in reviewing this bill in the light of the existing provisions of the Act of 1935, I find that the provisions are somewhat broader in scope than the provisions of the Act of 1935. The Act of 1935 covers diseases of the heart and lungs caused by extreme over-exertion in times of stress or danger, or exposure to heat, smoke fumes or gases, where as this bill broadens that somewhat to include diseases of the heart and lungs involving such over-exposure.

In the law there is a vast distinction between diseases caused by something and diseases involving something. In my opinion, it is too bad that the sponsors of this bill chose to make it broader than the provisions of the Act of 1935. I believe it will lead to confusion. It will provide coverage for men under one act when they are not so covered under the other act.

For that reason, I personally must oppose the bill. I merely wanted to call this to the attention of the Members when they are themselves deciding how they will vote on this bill.

Mr. CAPANO. Mr. Speaker, yesterday the question was raised regarding difference in the coverage between the Act of 1935 and the proposed amendment to the Occupational Disease Act.

Under the Act of 1935, which is only a provisional coverage wherein the employe who becomes incapacitated as a result of a heart condition or a respiratory condition, only receives his salary for a short period, during the period that he is totally incapacitated. But that is only for a brief duration, whereas this attempts to put it under the Occupational Disease Act, and give the entire protection under it. Under the Occupational Disease Act not only is the protection afforded to the employe, that is the fireman or the policeman, but also to his dependents and his widow, and especially in event of death they will be protected by receiving compensation.

I do not think any municipality will be hurt in any degree because they will be relieved from paying the salary, and the injured employe or disabled employe will receive the \$37.50 weekly benefit under the Occupational Disease Act.

I believe it is a good bill because it affords the proper protection for these people who risk their lives and their health for the protection and the welfare of the people. I ask support on both sides.

Mr. CURWOOD. Mr. Speaker, I, too, rise in favor of this bill. This only takes in less than 6,000 firemen, and I think the firemen are very important men in our lives, in the towns and villages we come from. It does not amount to much. The cases would be very small, and most of our other outfits are under the same protection.

I, too, would like to have the Members of the House go along and vote for the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,
Anderson,

Fulmer,
Galley,

McCormack,
McDonald,

Rigby,
Riley,

Arlene,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Boles,
Bonner,
Boris,
Bower,
Branca,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dennis,
Dennison,
Devlin,
Donaldson,
Donahue,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Frascella,

Gallagher,
Garlock,
Gelfand,
George,
Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Heffner,
Helm,
Hocker,
Holliday,
Holt,
Horst,
Irvis,
Isaacs,
Jenkins,
Jim,
Johnson, R.,
Jones, F. R.,
Jump,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Light,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,

McInroy,
McKeever,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.
Odorisio,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
McCann,

Rovansek,
Royer,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Stank,
Steckel,
Stevens,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Trusio,
Varallo,
Varnier,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Willaredt,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wilt,
Wood,
Worley,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—5

Ashton,
Bowman,

Ogilvie,

Strausser,

Tompkins,

NOT VOTING—19

Brenninger,
Brown,
Cooper,
Dengler,
Henzel,

Johnson, A. W.,
Jones, T. H. W.,
Kornick,
Korns,
Monroe,

Moran,
Murray, P. G.,
Rudisill,
Snider,
Stroup,

Thompson,
Ujobal,
Wheeler,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 261, entitled:

An Act relating to the practice of massotherapy providing for the examination licensing registration and regulation of practitioners of massotherapy creating the State Board of Massotherapy Examiners defining its powers and duties conferring powers and imposing duties upon the Department of Public Instruction and fixing penalties for violations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Agnew,	Frank,	Limper,	Riley,
Anderson,	Garlock,	Lopresti,	Royer,
Arlene,	George,	Lutty,	Schaaf,
Ashton,	Goldstein,	McCandless,	Schuster,
Balthaser,	Goodrich,	McCann,	Schwartz,
Barton,	Guthrie,	McCormack,	Seltzer,
Bell,	Hamilton,	McDonald,	Snare,
Blair,	Heavey,	McInroy,	Stank,
Boies,	Heffner,	McLaughlin,	Steckel,
Bonner,	Helm,	Markley,	Stevens,
Boris,	Hocker,	Maxwell,	Stewart,
Branca,	Holt,	Mihm,	Stone,
Burns,	Horst,	Mills,	Stoner,
Capitolo,	Irvie,	Miller, B. Z.,	Sullivan,
Cioffi,	Isaacs,	Mullen,	Trusio,
Clarke,	Jenkins,	Murphy, A. J., Jr.,	Varallo,
Dennis,	Johnson, R.,	Murray, J. J.,	Varner,
Dennison,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Jump,	O'Donnell, J. A.,	Walsh,
Donahue,	Kamyk,	Odorisio,	Weidner,
Dougherty,	Kee,	Pashley,	Wescott,
Ellberg,	Kernaghan,	Petrosky,	Williams, A. D., Jr.,
Eshleman,	Knecht,	Polaski,	Williams, E. S.,
Ewing,	Kooker,	Polen,	Willaredt,
Fetterolf,	Kovolenko,	Prendergast,	Wood,
Filo,	Kubitsky,	Price,	Yetter,
Floyd,	Lamb,	Reibman,	
Flynn,	Lee, K. B.,	Reidenbach,	Andrews,
Foerster,	Leonard,	Rigby,	Speaker

NAYS—75

Auker,	Fulmer,	Merry,	Sakulsky,
Bower,	Galley,	Miller, H. G.,	Scarcell,
Bowman,	Gallagher,	Muldowney,	Sherman,
Breth,	Gelfand,	Munley,	Shupnik,
Buchanan,	Gibb,	Murphy, P. J.,	Silverman,
Capano,	Gramlich,	Murray, H. P.	Stimmel,
Cianfrani,	Holliday,	Musto,	Strausser,
Comer,	Jim,	Needham,	Taylor,
Crossin,	Kelser,	Nelson,	Tompkins,
Curwood,	Kessler,	O'Dell,	Wall,
Davis,	Lee, A. M.,	O'Donnell, J. P.,	Wargo,
Donaldson,	Light,	Ogilvie,	Welsh,
Down,	Lippincott,	O'Neil,	Whittaker,
Edwards,	Luigard,	Parlante,	Willard,
Eshback,	McKeever,	Perry, H. H.,	Wilt,
Farabaugh,	Machmer,	Perry, P. E.,	Worley,
Fineman,	Magee,	Pursley,	Yatron,
Fox,	Mahan,	Renwick,	Zimmerman,
Frascella,	Meholchick,	Rovansek,	

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujohal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 626, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Agnew,	Frascella,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovansek,
Arlene,	Galley,	McInroy,	Royer,
Ashton,	Gallagher,	McKeever,	Sakulsky,
Auker,	Garlock,	McLaughlin,	Scarcell,
Balthaser,	Gelfand,	Machmer,	Schaaf,
Barton,	George,	Magee,	Schuster,
Bell,	Gibb,	Mahan,	Schwartz,
Blair,	Goldstein,	Markley,	Seltzer,
Boies,	Goodrich,	Maxwell,	Sherman,
Bonner,	Gramlich,	Meholchick,	Shupnik,
Boris,	Guthrie,	Merry,	Silverman,
Bower,	Hamilton,	Mihm,	Snare,
Bowman,	Heavey,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Buchanan,	Hocker,	Muldowney,	Stewart,
Burns,	Holliday,	Mullen,	Stimmel,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stone,
Cianfrani,	Irvie,	Murphy, P. J.,	Stoner,
Cioffi,	Isaacs,	Murray, H. P.,	Sullivan,
Clarke,	Jenkins,	Murray, J. J.,	Taylor,
Comer,	Jim,	Musto,	Tompkins,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Whittaker,
Ellberg,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Lamb,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Petrosky,	Willard,
Ewing,	Lee, K. B.,	Polaski,	Willaredt,
Farabaugh,	Leonard,	Polen,	Wilt,
Fetterolf,	Light,	Prendergast,	Wood,
Filo,	Limper,	Price,	Worley,
Fineman,	Lippincott,	Pursley,	Yatron,
Floyd,	Lopresti,	Reibman,	Yetter,
Flynn,	Luigard,	Reidenbach,	Zimmerman,
Foerster,	Lutty,	Renwick,	
Fox,	McCandless,	Rigby,	Andrews,
Frank,	McCann,		Speaker

NAYS—0

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujohal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" further regulating school bus lighting equipment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Agnew,	Frascella,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovanssek,
Arlene,	Galley,	McInroy,	Royer,
Ashton,	Gallagher,	McKeever,	Sakulsky,
Auker,	Garlock,	McLaughlin,	Scarcell,
Balthaser,	Gelfand,	Machmer,	Schaaf,
Barton,	George,	Magee,	Schuster,
Bell,	Gibb,	Mahan,	Schwartz,
Blair,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boles,	Gramlich,	Meholchick,	Shupnik,
Boris,	Guthrie,	Merry,	Silverman,
Bower,	Hamilton,	Mihm,	Snare,
Bowman,	Heavey,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, R. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Buchanan,	Hocker,	Muldowney,	Stewart,
Burns,	Holliday,	Mullen,	Stimmel,
Capano,	Holt,	Munley,	Stone,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Irvis,	Murphy, P. J.,	Strausser,
Cioffi,	Isaacs,	Murray, H. P.,	Sullivan,
Clarke,	Jenkins,	Murray, J. J.,	Taylor,
Comer,	Jim,	Musto,	Tompkins,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorizio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Whittaker,
Ellberg,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Lamb,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Petrosky,	Willard,
Ewing,	Lee, K. B.,	Polaski,	Willaredt,
Farabaugh,	Leonard,	Polen,	Wilt,
Fetterolf,	Light,	Prendergast,	Wood,
Filo,	Limper,	Price,	Worley,
Fineman,	Lippincott,	Pursley,	Yatron,
Floyd,	Lopresti,	Reibman,	Yetter,
Flynn,	Luigard,	Reidenbach,	Zimmerman,
Foerster,	Lutty,	Renwick,	
Fox,	McCandless,	Rigby,	
Frank,	McCann,		

NAYS—0

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Frank,	Lutty,	Renwick,
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Anderson,	Frascella,	McCandless,	Rigby,
Arlene,	Fulmer,	McCann,	Riley,
Ashton,	Galley,	McCormack,	Rovanssek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcell,
Bell,	George,	McLaughlin,	Schaaf,
Blair,	Gibb,	Machmer,	Schuster,
Boles,	Goldstein,	Magee,	Schwartz,
Bonner,	Goodrich,	Mahan,	Seltzer,
Boris,	Gramlich,	Markley,	Sherman,
Bower,	Guthrie,	Maxwell,	Shupnik,
Bowman,	Hamilton,	Meholchick,	Silverman,
Branca,	Heavey,	Merry,	Snare,
Breth,	Heffner,	Mihm,	Stank,
Buchanan,	Helm,	Miller, B. Z.,	Steckel,
Burns,	Hocker,	Miller, H. G.,	Stevens,
Capano,	Holliday,	Mills,	Stewart,
Capitolo,	Holt,	Muldowney,	Stimmel,
Cianfrani,	Horst,	Mullen,	Stone,
Cioffi,	Irvis,	Murphy, A. J., Jr.	Strausser,
Clarke,	Isaacs,	Murphy, P. J.,	Sullivan,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Musto,	Varallo,
Davis,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Devlin,	Kamyk,	Nelson,	Wall,
Donahue,	Kee,	O'Dell,	Walsh,
Donaldson,	Keiser,	O'Donnell, J. A.,	Weidner,
Dougherty,	Kernaghan,	O'Donnell, J. P.	Welsh,
Down,	Kessler,	Odorizio,	Wescott,
Edwards,	Knecht,	Ogilvie,	Whittaker,
Ellberg,	Kooker,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Perry, P. E.,	Wilt,
Fetterolf,	Lee, K. B.,	Petrosky,	Wood,
Filo,	Leonard,	Polaski,	Yatron,
Fineman,	Light,	Polen,	Yetter,
Floyd,	Limper,	Price,	Zimmerman,
Flynn,	Lippincott,	Pursley,	
Foerster,	Lopresti,	Reibman,	
Fox,	Luigard,	Reidenbach,	

NAYS—7

Dennison,	Prendergast,	Tompkins,	Worley,
Munley,	Stoner,	Wargo,	

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1152, Printer's No. 1584 and

House Bill No. 1161, Printer's No. 1375

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Agnew,	Fox,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovansek,
Arlene,	Galley,	McInroy,	Royer,
Ashton,	Gallagher,	McKeever,	Sakulsky,
Auker,	Garlock,	McLaughlin,	Seltzer,
Balthaser,	Gelfand,	Machmer,	Scarcell,
Barton,	George,	Magee,	Schaaf,
Bell,	Gibb,	Mahan,	Schuster,
Blair,	Goldstein,	Markley,	Schwartz,
Botes,	Goodrich,	Maxwell,	Sherman,
Bonner,	Gramlich,	Meholchick,	Shupnik,
Boris,	Guthrie,	Merry,	Silverman,
Bower,	Hamilton,	Mihm,	Snare,
Bowman,	Heavy,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Buchanan,	Hocker,	Muldowney,	Stewart,
Burns,	Holliday,	Mullen,	Stimmel,
Capano,	Holt,	Munley,	Stone,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Irvis,	Murray, J. J.,	Sullivan,
Clarke,	Jenkins,	Murray, H. P.,	Taylor,
Comer,	Jim,	Musto,	Tompkins,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Varner,
Davis,	Jump,	Nelson,	Varallo,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	O'Dorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Whittaker,
Elberg,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Lamb,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Petrosky,	Willard,
Ewing,	Lee, K. B.,	Polaski,	Willaredt,
Farabaugh,	Leonard,	Polen,	Wilt,
Fetterolf,	Light,	Prendergast,	Wood,
Filo,	Limper,	Price,	Worley,
Fineman,	Lippincott,	Pursley,	Yatron,
Floyd,	Lopresti,	Reibman,	Yetter,
Flynn,	Lulgard,	Reldenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	
Frascella,	McCandless,	Rigby,	Andrews,
Foerster,	McCann,		Speaker

NAYS—0

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels water skiing aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing duties on the Department of Revenue the Pennsylvania Fish Commission and the Pennsylvania Navigation Commission prescribing penalties making an appropriation from the General Fund to the Watercraft Safety Division Account of the Fish Fund and providing for the reimbursement of the General Fund.

And said bill having been read at length the third time,

considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Agnew,	Frascella,	McCann,	Renwick,
Anderson,	Galley,	McCormack,	Rigby,
Arlene,	Gallagher,	McDonald,	Riley,
Ashton,	Garlock,	McInroy,	Rovansek,
Auker,	Gelfand,	McKeever,	Royer,
Balthaser,	George,	McLaughlin,	Sakulsky,
Barton,	Gibb,	Magee,	Scarcell,
Bell,	Goldstein,	Mahan,	Schuster,
Blair,	Goodrich,	Markley,	Schwartz,
Botes,	Gramlich,	Maxwell,	Seltzer,
Bonner,	Guthrie,	Meholchick,	Sherman,
Boris,	Hamilton,	Merry,	Silverman,
Bower,	Heavy,	Mihm,	Snare,
Bowman,	Heffner,	Miller, B. Z.,	Stank,
Branca,	Helm,	Miller, H. G.,	Steckel,
Breth,	Holliday,	Mills,	Stevens,
Buchanan,	Holt,	Muldowney,	Stewart,
Capano,	Horst,	Mullen,	Stimmel,
Capitolo,	Irvis,	Munley,	Stone,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Jenkins,	Murphy, P. J.,	Strausser,
Clarke,	Jim,	Murray, H. P.,	Sullivan,
Comer,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Musto,	Trusio,
Dennis,	Jump,	Naugle,	Varallo,
Dennison,	Kamyk,	Needham,	Varner,
Devlin,	Kee,	Nelson,	Walsh,
Donahue,	Kelser,	O'Dell,	Wargo,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kessler,	O'Dorisio,	Welsh,
Edwards,	Knecht,	Ogilvie,	Wescott,
Elberg,	Kooker,	O'Neil,	Whittaker,
Eshleman,	Kovolenko,	Parlante,	Williams, A. D., Jr.,
Ewing,	Lamb,	Pashley,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willard,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Willaredt,
Filo,	Leonard,	Petrosky,	Wilt,
Fineman,	Light,	Polaski,	Wood,
Floyd,	Limper,	Polen,	Yatron,
Flynn,	Lippincott,	Price,	Yetter,
Foerster,	Lopresti,	Pursley,	Andrews,
Fox,	Lulgard,	Reibman,	Zimmerman,
Frank,	Lutty,	Reldenbach,	
	McCandless,		Speaker

NAYS—18

Burns,	Fulmer,	O'Donnell, J. A.,	Tompkins,
Crossin,	Hocker,	Prendergast,	Verona,
Curwood,	Kelser,	Schaaf,	Wall,
Down,	Kubitsky,	Shupnik,	Worley,
Eshback,	Machmer,		

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associa-

tions outside the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Messrs. HAMILTON and BORIS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting brackets before and after "State sinking fund."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Frascella,	Lopresti,
Anderson,	Galley,	Luigard,
Arlene,	Gallagher,	Lutty,
Balthaser,	Garlock,	McCann,
Barton,	Gelfand,	McCormack,
Bell,	George,	McDonald,
Blair,	Goldstein,	McInroy,
Boles,	Goodrich,	McKeever,
Bonner,	Guthrie,	McLaughlin,
Boris,	Hamilton,	Machmer,
Bower,	Heavey,	Markley,
Branca,	Hefner,	Maxwell,
Breth,	Helm,	Meholchick,
Buchanan,	Hocker,	Mihm,
Burns,	Holt,	Miller, B. Z.,
Capano,	Horst,	Mills,
Capitolo,	Irvis,	Muldowney,
Cianfrani,	Isaacs,	Mullen,
Cioffi,	Jenkins,	Munley,
Clarke,	Jim,	Murphy, A. J., Jr.
Comer,	Johnson, R.,	Murphy, P. J.,
Crossin,	Jones, F. R.,	Murray, H. P.,
Curwood,	Jump,	Murray, J. J.,
Dennis,	Kamyk,	Musto,
Dennison,	Kee,	Needham,
Devlin,	Kelser,	Nelson,
Donahue,	Kernaghan,	O'Donnell, J. A.,
Dougherty,	Kessler,	O'Donnell, J. P.,
Eilberg,	Knecht,	Odoriso,
Eshleman,	Kovolenko,	O'Neil,
Ewing,	Kubitsky,	Parlante,
Farabaugh,	Lamb,	Pashley,
Fetterolf,	Lee, A. M.,	Perry, H. H.,
Filo,	Lee, K. B.,	Perry, P. E.,
Fineman,	Leonard,	Petrosky,
Floyd,	Light,	Polaski,
Flynn,	Limper,	Polen,
Foerster,	Lippincott,	Prendergast,
Frank,		

NAYS—37

Ashton,	Gibb,	Naugle,	Tompkins,
Auker,	Gramlich,	O'Dell,	Varnar,
Bowman,	Holliday,	Ogilvie,	Wall,
Davis,	Kooker,	Pursley,	Weldner,
Donaldson,	McCandless,	Seltzer,	Wescott,
Down,	Magee,	Snare,	Whittaker,
Edwards,	Mahan,	Stimmel,	Willard,
Eshback,	Merry,	Stoner,	Wilt,
Fox,	Miller, H. G.,	Strausser,	Worley,
Fulmer,			

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 2044, Printer's No. 1581

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers * * * and providing an appropriation therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 2, page 2, line 6, by inserting after "be" "technically feasible, economically reasonable, and."

Amend Sec. 4, page 5, line 11, by striking out "To enter" and inserting "Enter."

Amend Sec. 4, page 7, line 6, by striking out "and enforcing orders of the Commission" and inserting "when so directed by the Commission."

Amend Sec. 4, page 7, by inserting between lines 6 and 7 "(7) Issue and enforce orders for compliance with rules and regulations of the Commission."

Amend Sec. 4, page 7, line 7, by striking out "(7)" and inserting "(8)."

Amend Sec. 4, page 7, line 9, by striking out "(8)" and inserting "(9)."

Amend Sec. 4, page 7, line 10, by inserting after "approval" "registration of emissions to the atmosphere and type of control equipment or when deemed necessary."

Amend Sec. 4, page 7, line 14, by striking out "(9)" and inserting: "(10)."

Amend Sec. 4, page 7, line 18, by striking out "(10)" and inserting: "(11)."

Amend Sec. 4, page 7, line 20, by striking out "(11)" and inserting: "(12)."

Amend Sec. 4, page 8, line 6, by striking out "(12)" and inserting: "(13)."

Amend Sec. 4, page 8, line 13, by striking out "(13)"

and inserting: "(14)."

Amend Sec. 4, page 8, line 16, by striking out "(14)"

and inserting: "(15)."

Amend Sec. 4, page 9, line 1, by striking out "(15)"

and inserting: "(16)."

Amend Sec. 4, page 9, line 5, by striking out "(16)"

and inserting: "(17)."

Amend Sec. 4, page 9, line 9, by striking out "(17)"

and inserting: "(18)."

Amend Sec. 4, page 9, line 14, by striking out "(18)"

and inserting: "(19)."

Amend Sec. 4, page 9, line 19, by striking out "(19)"

and inserting: "(20)."

Amend Sec. 5, page 12, line 2, by inserting after "after" "reviewing studies made by the Department in those Regions or parts thereof and."

Amend Sec. 5, page 12, line 10, by inserting after "meetings" "or hearings."

Amend Sec. 5, page 12, line 11, by striking out "such."

Amend Sec. 7, page 16, line 11, by inserting after "the" "Commission or by the."

Amend Sec. 14, page 22, line 3, by inserting after "specifically" "been."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 2177, Printer's No. 1743 and

House Bill No. 2277, Printer's No. 1690

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2316, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Agnew,	Frascella,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovansek,
Arlene,	Galley,	McInroy,	Royer,
Ashton,	Gallagher,	McKeever,	Sakulsky,
Auker,	Garlock,	McLaughlin,	Scarcell,
Balthaser,	Gelfand,	Machmer,	Schaaf,
Barton,	George,	Magee,	Schuster,
Bell,	Gibb,	Mahan,	Schwartz,
Blair,	Goldstein,	Markley,	Seltzer,
Bonner,	Goodrich,	Maxwell,	Sherman,
Boles,	Gramlich,	Meholchick,	Shupnik,
Boris,	Guthrie,	Merry,	Silverman,
Bower,	Hamilton,	Mihm,	Snare,
Bowman,	Heavey,	Miller, B. Z.,	Stank,

Branca,	Heffner,	Miller, H. G.,	Steckel,
Breth,	Helm,	Mills,	Stevens,
Buchanan,	Hocker,	Muldowney,	Stewart,
Burns,	Holliday,	Mullen,	Stimmel,
Capano,	Holt,	Munley,	Stone,
Capitolo,	Horst,	Murray, H. P.,	Stoner,
Cianfrani,	Irvia,	Murphy, A. J., Jr.,	Strausser,
Cloffi,	Isaacs,	Murphy, P. J.,	Sullivan,
Clarke,	Jenkins,	Murray, J. J.,	Taylor,
Comer,	Jim,	Musto,	Tompkins,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varnar,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odoristo,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Whittaker,
Ellberg,	Kubitsky,	Perry, H. H.,	Willard,
Eshback,	Lamb,	Perry, P. E.,	Williams, A. D. Jr.,
Eshleman,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Ewing,	Lee, K. B.,	Polaski,	Willaredt,
Farabaugh,	Leonard,	Polen,	Wilt,
Fetterolf,	Light,	Prendergast,	Wood,
Fillo,	Limper,	Price,	Worley,
Fineman,	Lippincott,	Pursley,	Yatron,
Floyd,	Lopresti,	Reibman,	Yetter,
Flynn,	Luigard,	Reidenbach,	Zimmerman,
Foerster,	Lutty,	Renwick,	
Fox,	McCandless,	Rigby,	Andrews,
Frank,	McCann,		Speaker

NAYS—0

NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujober,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Bureau of Consumer Protection defining its powers and duties and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 918), page 3, line 7, by striking out "RELATING" and inserting: "including but not limited."

Amend Section 1 (Section 918), page 3, line 8, by striking out "services" where it appears the second time.

Amend Section 1 (Section 918), page 3, lines 8 and 9, by striking out "IN PUBLIC" in line 8 and "UTILITY MATTERS" in line 9 and inserting: "charges in matters by State agencies."

Amend Section 1 (Section 918), page 4, by inserting between lines 10 and 11:

"(2) To conduct studies investigations and research in all matters affecting consumer interests advise the executive and legislative branches on matters affecting consumer interests assist in developing executive policies and legislative programs to protect the consumer secure all available information on utility rates interests rates in-

insurance rates and costs of commodities and services and make such information available to the various agencies of government and to the public.

(3) To prosecute such violations of laws or regulations affecting consumers in the sale and servicing of consumers goods and products as its investigations or studies may reveal and to recommend action by other law enforcement agencies.

(4) To foster the creation and activities of independent consumers organizations to promote consumer education and to cooperate with existing consumer representatives."

Amend Section 1 (Section 918), page 4, line 11, by striking out "(2)" and inserting: "(5)."

Amend Section 1 (Section 920), page 4, line 20, by striking out "the Pennsylvania Public Utility Commission" and inserting: "other agencies having a duty to safeguard the consumer."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2366, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521) providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. PETROSKY. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. SCHAAF. Mr. Speaker, I rise in opposition to this motion.

My colleague from Bucks County, Mr. Gallagher, and I have very recently given this bill considerable new study. Unfortunately I was not recognized before the gentleman from Westmoreland, Mr. Petrosky.

What I would like to offer, if he would be kind enough to withdraw his motion, would be a set of amendments which I think would restore the confidence of the membership of this House in this bill and in the effect it attempts to attain.

If the gentleman from Westmoreland is not willing to withdraw his motion, then I would ask each Member in this House who has any regard, and I know they do have regard, for the manner in which the taxpayer's money is spent, to oppose the motion to recommit this bill. I say, and I feel very strongly on it, Mr. Speaker, that in view of the lateness of the hour—the Session is already in the middle of October—in all probability the bill cannot see the light of day. Therefore, Mr. Speaker, because of the importance of the bill I ask the membership of this House to oppose the motion.

Mr. PETROSKY. Mr. Speaker, I do not believe it is primarily a matter of affording a fellow Member on the floor the courtesy of the offering of the amendments inasmuch as the amendments could be offered in the Committee which had charge of the bill.

I want to say, Mr. Speaker, that I recognize I am unable to discuss the merits or the faults of the bill that is before us because the motion to recommit has been made, however, I do contend, and I submit to the membership of the House, that today's process of collecting the taxes of the state by the local Register of wills and recorder of deeds has been a satisfactory arrangement, and they have done a splendid job. I ask the Members of the House to support my motion to recommit.

Mr. SCHAFF. Mr. Speaker, I hesitate to discuss the merits of this bill, and if Mr. Petrosky desires to discuss the merits of this bill, then I suggest he withdraws his motion to recommit. If he is not willing to do that, then I suggest that the membership of this House give him the opportunity to discuss the merits of this bill by defeating the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. SCHAFF and GALLAGHER and were as follows:

YEAS—130

Anderson,	Fulmer,	McInroy,	Pursley,
Ashton,	Galley,	McLaughlin,	Reibman,
Auker,	George,	Machmer,	Reldenbach,
Balthaser,	Goodrich,	Maxwell,	Renwick,
Bell,	Gramlich,	Merry,	Sakulsky,
Blair,	Hamilton,	Mihm,	Scarcell,
Boris,	Hocker,	Miller, B. Z.,	Schwartz,
Bower,	Holliday,	Miller, H. G.,	Seltzer,
Breth,	Holt,	Mills,	Sherman,
Buchanan,	Horst,	Muldowney,	Silverman,
Capano,	Irlis,	Mullen,	Snare,
Cioffi,	Isaacs,	Munley,	Stank,
Clarke,	Jenkins,	Murphy, P. J.,	Steckel,
Crossin,	Jim,	Murray, H. P.	Stevens,
Curwood,	Johnson, R.,	Murray, J. J.,	Stimmel,
Davis,	Jones, F. R.,	Musto,	Stone,
Dennison,	Kee,	Naugle,	Stoner,
Devlin,	Kelser,	Needham,	Tompkins,
Donahue,	Kernaghan,	Nelson,	Varner,
Dougherty,	Kessler,	O'Dell,	Varallo,
Down,	Knecht,	O'Donnell, J. A.,	Verona,
Edwards,	Kooker,	O'Donnell, J. P.,	Wall,
Eshback,	Kovolenko,	Odorisio,	Walsh,
Eshleman,	Kubitsky,	Parlante,	Wargo,
Ewing,	Lee, A. M.,	Pashley,	Welsh,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Wescott,
Filo,	Lippincott,	Perry, P. E.,	Whittaker,
Fineman,	Lulgard,	Petrosky,	Willard,
Floyd,	Lutty,	Polaski,	Williams, E. S.,
Flynn,	McCandless,	Polen,	Worley,
Foerster,	McCann,	Prendergast,	Yatron,
Fox,	McCormack,	Price,	Yetter,
Frascella,	McDonald,		

NAYS—33

Bowman,	Goldstein,	Meholchick,	Shupnik,
Burns,	Guthrie,	Ogilvie,	Strausser,
Cianfrani,	Kamyk,	O'Neill,	Sullivan,
Comer,	Lamb,	Rigby,	Taylor,
Donaldson,	Leonard,	Rovansek,	Weidner,
Farabaugh,	Limper,	Royer,	Williams, A.D., Jr.,
Gallagher,	Lopresti,	Schaaf,	Wilt,
Garlock,	McKeever,	Schuster,	Andrews,
Gelfand,			Speaker

NOT VOTING—45

Agnew,	Ellberg,	Korns,	Snider,
Arlene,	Frank,	Light,	Stewart,
Barton,	Gibb,	Magee,	Stroup,
Boles,	Heavey,	Mahan,	Thompson,
Bonner,	Heffner,	Markley,	Trusio,
Branca,	Helm,	Monroe,	Ujobal,

Brenninger, Brown, Capitolo, Cooper, Dengler, Dennis,	Henzel, Johnson, A. W., Jones, T. H. W., Jump, Kornick,	Moran, Murphy, A. J., Jr., Murray, P. G., Riley, Rudisill,	Wheeler, Willaredt, Wood, Wynd, Zimmerman,
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So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2367, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) providing that the commission allowed to recorders of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties and requiring recorders of deeds to act as such agents.

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, first line of Title, by inserting after "that": "a portion of."

Amend Sec. 1 (Sec. 6), page 3, line 2, by inserting after "shall": "receive the aforesaid commission up to a maximum of three thousand dollars (\$3,000.00) per year. Commissions allowed in excess of said amount shall.

Amend Sec. 1 (Sec. 6), page 3, line 3, by striking out "pay" and inserting: "be paid."

Amend Sec. 1 (Sec. 6), page 3, line 4, by striking out "the commission so allowed."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

BILL RECOMMITTED

Mr. PETROSKY. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on Rules.

On the question.

Will the House agree to the motion?

Mr. GALLAGHER. Mr. Speaker, I rise to oppose the motion to recommit the bill, together with the amendment.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. SCHAAF and GALLAGHER and were as follows:

YEAS—130

Anderson, Ashton, Auker, Balthaser, Bell, Blair, Boris, Bower, Breth, Buchanan, Capano, Cioffi, Clarke, Crossin, Curwood, Davis, Dennis,	Fulmer, Galley, George, Goodrich, Gramlich, Hamilton, Hocker, Holliday, Holt, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Kee,	McInroy, McLaughlin, Machmer, Maxwell, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle,	Pursley, Reibman, Reidenbach, Renwick, Sakulsky, Scarcelli, Schwartz, Seltzer, Sherman, Silverman, Snare, Stank, Steckel, Stevens, Stimmel, Stone, Stoner,
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Devlin, Donahue, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frascella,	Keiser, Kernaghan, Kessler, Knecht, Kooker, Kovolenko, Kubitsky, Lee, A. M., Lee, K. B., Lippincott, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Tompkins, Varallo, Varnar, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Whittaker, Williams, E. S., Willard, Worley, Yatron, Yetter,
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NAYS—33

Bowman, Burns, Cianfrani, Comer, Donaldson, Farabaugh, Gallagher, Garlock, Gelfand,	Goldstein, Guthrie, Kamyk, Lamb, Leonard, Limper, Lopresti, McKeever,	Meholchick, Ogilvie, O'Neill, Rigby, Rovanseck, Royer, SchAAF, Schuster,	Shupnik, Strausser, Sullivan, Taylor, Weidner, Williams, A. D., Jr., Wilt, Andrews, Speaker
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NOT VOTING—45

Agnew, Arlene, Barton, Boles, Bonner, Branca, Brenninger, Brown, Capitolo, Cooper, Dengler, Dennis,	Ellberg, Frank, Gibb, Heavey, Heffner, Helm, Henzel, Johnson, A. W., Jones, T. H. W., Jump, Kornick,	Korns, Light, Magee, Mahan, Markley, Monroe, Moran, Murphy, A. J., Jr., Murray, P. G., Riley, Rudisill,	Snider, Stewart, Stroup, Thompson, Trusio, Ujohal, Wheeler, Willaredt, Wood, Wynd, Zimmerman,
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So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2382, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the provisions which make certain worldly employment unlawful on Sunday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew, Anderson, Ashton, Auker, Balthaser, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Holliday, Holt, Irvia, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jump,	McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle,	Riley, Rovanseck, Royer, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins,
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Crossin, Curwood, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Trusio, Varallo, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—5

Davis, Edwards,	Hocker,	Horst,	Wall,
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NOT VOTING—19

Brenninger, Brown, Cooper, Dengler, Henzel,	Johnson, A. W., Jones, T. H. W., Kornick, Korns, Monroe,	Moran, Murray, P. G., Rudisill, Snider, Stroup,	Thompson, Ujobai, Wheeler, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 2388, Printer's No. 1776 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, with the permission of the House, I would like to have my remarks apply to House Bills 2389, 2390 and 2391 because the principles involved are identical.

The SPEAKER pro tempore. Without objection the gentleman will proceed. The Chair hears none.

Mr. GOLDSTEIN. Mr. Speaker, these bills are of particular importance to the citizens and taxpayers of the city of Pittsburgh and Allegheny County. They have no application to any other group.

The bill 2389 proposes that the pension rights of policemen shall not be suspended if they get another governmental job. Bill 2390 says that the pension rights of firemen shall not be suspended if they get another gov-

ernmental job. Bill 2391 applies to the entire field of the city of Pittsburgh so that any person who is an employe and gets a pension, his rights will not be suspended if he gets another job.

I say that, originally, even though the contention may be that pensions are the deferred payments that the employes of the city of Pittsburgh, firemen, policemen and general employes agree to when they enter into a solemn contract with the taxpayers of the city of Pittsburgh that they would get their pensions subject to the conditions that they would never have the right to remain on the public payroll. Therefore, I say that these pensions are for the deserving and needy and not for the greedy.

Let me pinpoint for you the background for the passage of this legislation. In the depression days of the 30's, when this legislation was passed for firemen and policemen, we had a situation in the county of Allegheny under which men were offering and collecting two pensions and were also on the county payroll. This turned out to be a public disgrace. As a result, in 1937, legislation was enacted whereby no employe of the county could collect his pension and remain on the public payroll. Now, if we pass this particular legislation for the benefit of these employes and for the detriment of the taxpayers, we will be faced in the next Session with a bill to repeal the Act of 1937 insofar as it affects county employes. What would the net result be? The net result will be that the political fatcats in Allegheny County and the city of Pittsburgh will transfer their allegiance from Pittsburgh's payroll to the county payroll, and from the county payroll to the city payroll. It will mean that they will be able to have their pensions and draw city and county salaries. We state that this is unfair, and we call to your particular attention that under the Railroad Retirement Act, if a man takes a pension he does not have the right to work in the railroad business, and under the United Mine Workers' Pension Fund, if a miner gets a pension, he has no right to work in the coal mines.

It may be stated by the proponents of this bill that inadvertently I voted for House Bill 1808, which relieves firemen in cities of the third class from the prohibition that they can collect their pensions and remain on the public payroll. House Bill 1808 was passed primarily because the firemen in these cities could not even collect their pension if they were on a private payroll, and there is a distinction in that respect. In these days of automation, when there is a desire to see that everybody gets a fair break and has a chance to get employment, public or otherwise, I think it is very serious on the part of employes to try to collect their pension and go over to another governmental body and deprive some worthwhile citizen, who does not have a pension, of the right to have a public job. Employment is important both in public and private life.

I also call to your attention that if we pass this particular legislation, in the years to come, we will be faced by a bugaboo which will be a very serious detriment to the taxpayers. I have always favored the passage of a universal pension bill so that if a man works for the city, county or state he tack on that pension and get increments in other features. I feel that if we pass this bill you will never have a universal pension for employes throughout the state of Pennsylvania, just like the school teachers have.

I want to tell my friends in the city of Pittsburgh on the payroll, both the firemen and the policemen and the general employes, that have fought for the legitimate rights of these individuals insofar as legitimate pensions are concerned when they are right. This time I say they are wrong, and I ask Members in both sides to be non-partisan and protect the taxpayer against a vicious raid.

Mr. DEVLIN. Mr. Speaker, I rise, likewise with my colleague Mr. Goldstein, to speak on his remarks pertaining to this and the ensuing two bills; 2389, 2390 and 2391.

I would like to ask the Members on both sides of the House not to treat the employe, municipal, police and firemen of the second class cities any differently than they did with the third class cities. I have here our Journal for the date of June 17, and we in this House passed House Bill 1808, which accomplished the same purpose in relation to third class cities as this and the ensuing two bills do for the second class city of Pittsburgh. I point out to the Members on both sides that we passed it by a vote of 190 to 1. I see no reason for treating the second class city of Pittsburgh as any less meriting our consideration here.

I think if the Members of the House will contemplate for a moment and realize that members of other agencies, for example, the State Police and for example this body, that have received and earned pensions seek other municipal employment and obtain it, they are not precluded from receiving their benefits. I want the Members to realize that we have a deadline cut-off date here insofar as the fire-fighters are concerned of January 1, 1934; as far as the police are concerned of January 1, 1937; and if you happen to have been employed prior to that date you can take your pension and obtain and get other municipal employment other than the agency from which you receive the pension. I point out that this bill continues that same thing. They naturally could not collect the pension and be employed by the same municipality, but we contend that they should be permitted to collect the pension if they get employment by another municipality.

We have publications put out by the state associations of these groups listing where other employment is available in other municipalities for men of their training and background. However, our men from Pittsburgh are precluded from making application for any of these other available places of employment by virtue of this existing law which we are trying to change.

I think, Members of the House, that this is good legislation; we should give it to our fire-fighters, our policemen and our municipal employes, and I ask you all to vote in the affirmative on this and the ensuing two bills.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Allegheny, Mr. Devlin, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. DEVLIN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not a fact that the Acts of 1933 and 1935 applying to policemen and firemen were enacted because of the fact that the public was outraged in witnessing that people were getting two pensions at one time under the then existing laws?

Mr. DEVLIN. If any colleague will forgive me, I was not in touch with the legislative intent at the time, 1933 and 1935. I do not know if that was the motivation

behind the bills.

Mr. GOLDSTEIN. Mr. Speaker, is it not fact that House Bill 1808, relating to third class cities, concerning which remarks were made, related to a prohibition on not only private but public employment too?

Mr. DEVLIN. Mr. Speaker, House Bill 1808 authorized pension payments to retired members of fire departments regardless of their employment.

Mr. GOLDSTEIN. But prior to the passage of the Act, if a fireman in a third class city obtained private employment, he would be prohibited from getting his pension, as distinguished from the Act we have now which relates only to public employment. Is that not a fact?

Mr. DEVLIN. There is a slight difference because under the prior law, prior to 1808, the amount he received from his subsequent job and his pension together could not exceed the old pay rate that he had received.

Mr. GOLDSTEIN. Mr. Speaker, is it not a fact that if these bills are enacted, it will be possible for an employe in Allegheny County to qualify for two pensions?

Mr. DEVLIN. If this bill passes, will be possible for a member of the Pittsburgh Police Department to take other employment, to take employment, for example with the township of Mt. Lebanon or the borough of Wilkesburg and still collect his pension from the city of Pittsburgh, as well as his salary from his new employer.

Mr. GOLDSTEIN. Would he not also qualify for a pension?

Mr. DEVLIN. If he would put in the necessary time in the new municipality; if he could put in 20 or the required number of years, 20 or 25, in his new municipal employment, he would then qualify for that.

Mr. GOLDSTEIN. Mr. Speaker, the Act of 1935 prohibits the collection of a pension by county employes. Do you not visualize subsequent legislation to make it possible for these county employes to collect their pensions and work in the city of Pittsburgh?

Mr. DEVLIN. It is not inconceivable.

Mr. GOLDSTEIN. Thank you, Mr. Speaker.

The purpose of this interrogation was to pinpoint my argument that if you pass this legislation you will see a transfer of county employes to city jobs and city employes to county jobs, and those people who benefit will not be the rank and file but those with political influence. This is not a bill for the average man, this is a bill for political fat-cats.

Mr. DEVLIN. Mr. Speaker, I do not think it is particularly germane, but I know that under the county retirement code you are not permitted to collect two pensions. I do not know if the city retirement fund permits it, but I am advised that it does not. So it would not be a question of collecting two pensions, if that is disturbing Mr. Goldstein.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. FILO. I would like the gentleman to qualify the statement he made that county employes could get jobs with the city. Is it not true that a county employe, to get a job, must reside within the city limits?

Mr. GOLDSTEIN. Mr. Speaker, it is possible that if some of your friends are county employes and they retire

and do not qualify by moving into the city, and if they are very, very well thought of politically, city council can waive the residence requirement. So that if you have any problem about any of your men qualifying, do not worry.

Mr. FILO. Is this true, Mr. Speaker, I think the gentleman will agree that a man has to live in the city of Pittsburgh to qualify for a county job?

Mr. GOLDSTEIN. Mr. Speaker, I want to make one brief remark. I say this is a matter of principle because it was injected into the argument and stated that Members of the Legislature collect pensions and perhaps may be able to collect that pension and go into another governmental job. It is my opinion that legislation should be passed to prohibit this because I say you should not collect your pension and also be on the government payroll. I would favor legislation to prohibit such a thing in connection with Members of the House and the Senate.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Fulmer,	McDonald,	Riley,
Anderson,	Galley,	McInroy,	Rovanssek,
Arlene,	Gallagher,	McKeever,	Royer,
Auker,	Garlock,	McLaughlin,	Sakulsky,
Balthaser,	Gelfand,	Machmer,	Scarcelli,
Barton,	George,	Magee,	Schaaf,
Bell,	Gibb,	Mahan,	Schuster,
Blair,	Gramlich,	Markley,	Schwartz,
Boies,	Guthrie,	Maxwell,	Seltzer,
Bonner,	Hamilton,	Meholchick,	Sherman,
Boris,	Heavey,	Merry,	Shupnik,
Bower,	Heffner,	Mihm,	Silverman,
Bowman,	Helm,	Miller, B. Z.,	Snare,
Branca,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Buchanan,	Holt,	Muldowney,	Stevens,
Burns,	Horst,	Mullen,	Stewart,
Capano,	Irvis,	Munley,	Stimmel,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Jenkins,	Murphy, P. J.,	Stoner,
Cioffi,	Jim,	Murray, H. P.,	Strausser,
Clarke,	Johnson, R.,	Murray, J. J.,	Sullivan,
Comer,	Jones, F. R.,	Musto,	Taylor,
Crossin,	Jump,	Naugle,	Tompkins,
Curwood,	Kamyk,	Needham,	Trusio,
Davis,	Kee,	Nelson,	Varallo,
Dennis,	Kelser,	O'Dell,	Varnar,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Verona,
Devlin,	Kessler,	O'Donnell, J. P.	Wall,
Donahue,	Knecht,	Odorisio,	Walsh,
Dougherty,	Kooker,	Ogilvie,	Wargo,
Down,	Kovolenko,	O'Neill,	Weidner,
Edwards,	Kubitsky,	Parlante,	Welsh,
Ellberg,	Lamb,	Pashley,	Wescott,
Eshback,	Lee, A. M.,	Perry, H. H.,	Whittaker,
Eshleman,	Lee, K. B.,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Leonard,	Petrosky,	Williams, E. S.,
Farabaugh,	Light,	Polaski,	Willard,
Fetterolf,	Limper,	Prendergast,	Willaredt,
Filo,	Lippincott,	Price,	Wilt,
Fineman,	Lopresti,	Pursley,	Wood,
Floyd,	Luigard,	Reibman,	Worley,
Flynn,	Lutty,	Yatron,	Yetter,
Foerster,	McCandless,	Reidenbach,	Zimmerman,
Fox,	McCann,	Renwick,	Andrews,
Frank,	McCormack,	Rigby,	
Frascella,			Speaker

NAYS—4

Ashton,	Donaldson,	Goldstein	Goodrich,
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NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujbal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the the third reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Fulmer,	McDonald,	Riley,
Anderson,	Galley,	McInroy,	Rovanssek,
Arlene,	Gallagher,	McKeever,	Royer,
Auker,	Garlock,	McLaughlin,	Sakulsky,
Balthaser,	Gelfand,	Machmer,	Scarcelli,
Barton,	George,	Magee,	Schaaf,
Bell,	Gibb,	Mahan,	Schuster,
Blair,	Gramlich,	Markley,	Schwartz,
Boies,	Guthrie,	Maxwell,	Seltzer,
Bonner,	Hamilton,	Meholchick,	Sherman,
Boris,	Heavey,	Merry,	Shupnik,
Bower,	Heffner,	Mihm,	Silverman,
Bowman,	Helm,	Miller, B. Z.,	Snare,
Branca,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Buchanan,	Holt,	Muldowney,	Stevens,
Burns,	Horst,	Mullen,	Stewart,
Capano,	Irvis,	Munley,	Stimmel,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Jenkins,	Murphy, P. J.,	Stoner,
Cioffi,	Jim,	Murray, H. P.	Strausser,
Clarke,	Johnson, R.,	Murray, J. J.,	Sullivan,
Comer,	Jones, F. R.,	Musto,	Taylor,
Crossin,	Jump,	Naugle,	Tompkins,
Curwood,	Kamyk,	Needham,	Trusio,
Davis,	Kee,	Nelson,	Varallo,
Dennis,	Kelser,	O'Dell,	Varnar,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Verona,
Devlin,	Kessler,	O'Donnell, J. P.	Wall,
Donahue,	Knecht,	Odorisio,	Walsh,
Dougherty,	Kooker,	Ogilvie,	Wargo,
Down,	Kovolenko,	O'Neill,	Weidner,
Edwards,	Kubitsky,	Parlante,	Welsh,
Ellberg,	Lamb,	Pashley,	Wescott,
Eshback,	Lee, A. M.,	Perry, H. H.,	Whittaker,
Eshleman,	Lee, K. B.,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Leonard,	Petrosky,	Williams, E. S.,
Farabaugh,	Light,	Polaski,	Willard,
Fetterolf,	Limper,	Prendergast,	Willaredt,
Filo,	Lippincott,	Price,	Wilt,
Fineman,	Lopresti,	Pursley,	Wood,
Floyd,	Luigard,	Reibman,	Worley,
Flynn,	Lutty,	Yatron,	Yetter,
Foerster,	McCandless,	Reidenbach,	Zimmerman,
Fox,	McCann,	Renwick,	Andrews,
Frank,	McCormack,	Rigby,	
Frascella,			Speaker

NAYS—4

Ashton,	Donaldson,	Goldstein,	Goodrich,
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NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujbal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the the third reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Fulmer,	McDonald,	Riley,
Anderson,	Galley,	McInroy,	Rovanske,
Arlene,	Gallagher,	McKeever,	Royer,
Auker,	Garlock,	McLaughlin,	Sakulsky,
Balthaser,	Gelfand,	Machmer,	Scarcelli,
Barton,	George,	Magee,	Schaafl,
Bell,	Gibb,	Mahan,	Schuster,
Blair,	Gramlich,	Markley,	Schwartz,
Boles,	Guthrie,	Maxwell,	Seltzer,
Bonner,	Hamilton,	Meholchick,	Sherman,
Boris,	Heavey,	Merry,	Shupnik,
Bower,	Heffner,	Mihm,	Silverman,
Bowman,	Helm,	Miller, B. Z.,	Snare,
Branca,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Buchanan,	Holt,	Muldowney,	Stevens,
Burns,	Horst,	Mullen,	Stewart,
Capano,	Irvls,	Munley,	Stimmel,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Jenkins,	Murphy, P. J.,	Stoner,
Cioffi,	Jim,	Murray, H. P.,	Strausser,
Clarke,	Johnson, R.,	Murray, J. J.,	Sullivan,
Comer,	Jones, F. R.,	Musto,	Taylor,
Crossin,	Jump,	Naugle,	Tompkins,
Curwood,	Kamyk,	Needham,	Trusio,
Davis,	Kee,	Nelson,	Varallo,
Dennis,	Kelser,	O'Dell,	Varnier,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Verona,
Devlin,	Kessler,	O'Donnell, J. P.,	Wall,
Donahue,	Knecht,	Odorisio,	Walsh,
Dougherty,	Kooker,	Ogilvie,	Wargo,
Down,	Kovolenko,	O'Neill,	Weldner,
Edwards,	Kubitsky,	Parlante,	Welsh,
Ellberg,	Lamb,	Pashley,	Wescott,
Eshback,	Lee, A. M.,	Perry, H. H.,	Whittaker,
Eshleman,	Lee, K. B.,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Leonard,	Petrosky,	Williams, E. S.,
Farabaugh,	Light,	Polaski,	Willard,
Fetterolf,	Limper,	Polen,	Willaredt,
Filo,	Lippincott,	Prendergast,	Wilt,
Fineman,	Lopresti,	Price,	Wood,
Floyd,	Luigard,	Pursley,	Worley,
Flynn,	Lutty,	Reibman,	Yatron,
Foerster,	McCandless,	Reidenbach,	Yetter,
Fox,	McCann,	Renwick,	Zimmerman,
Frank,	McCormack,	Rigby,	Andrews,
Frascella,			Speaker

NAYS—4

Ashton,	Donaldson,	Goldstein	Goodrich,
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NOT VOTING—19

Brenninger,	Johnson, A. W.,	Moran,	Thompson,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Ujobal,
Cooper,	Kornick,	Rudisill,	Wheeler,
Dengler,	Korns,	Snider,	Wynd,
Henzel,	Monroe,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the the third reading and consideration of Senate Bill No. 53, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring an annual physical examination of school bus drivers and providing for filing a certificate of such examination with the Department of Public Instruction and the local school district.

On the question,

Will the House agree to the bill on third reading?

Mr. GOODRICH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, next to last line of Title, by striking out "Department of Public Instruction and the."

Amend Sec. 1 (Sec. 609), page 2, line 20, by striking out "Department of Public Instruction and the."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

On the question,

Will the House agree to the bill on third reading?

Messrs. HAMILTON and STIMMEL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend the title, line 6 of said title, by inserting after the word "teachers", the following: "associations' or."

Amend Section 1 (Subsection (3) of section 1), page 2, line 13, by inserting after the word "teachers", the following: "association or."

Amend Section 1 (Subsection (3) of section 1), page 2, line 14, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Subsection (3) of section 1), page 2, line 16, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Section 4), page 2, line 19, by inserting after the word "Teachers", the following: "Associations' or."

Amend Section 1 (Section 4), page 2, line 20, by inserting after the word "teachers", the following: "association or."

Amend Section 1 (Section 4), page 3, line 1, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Section 4 Subsection (1)), page 3, line 6, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Section 4 Subsection (1)), page 3, line 8, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Section 4 Subsection (2)), page 3, line 11, by inserting after the words "fraternity's funds", the following: "association's funds."

Amend Section 1 (Section 4 Subsection (4)), page 4, line 11, by inserting after the word "fraternity", the following: "association."

Amend Section 1 (Section 4 Subsection (4)), page 4, line 12, by inserting after the word "fraternity", the following: "association."

Amend Section 1 Subsection (4)), page 4, line 14, by inserting after the word "fraternity", the following: "association."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RESOLUTION

SLATE COMMITTEE

Mr. POLASKI offered a resolution which was read as follows:

In the House of Representatives, October 14, 1959.

Resolved, that the following named persons shall be and are hereby elected employees of this House under provisions of the Act of Assembly #428 of 1959, for the positions as designated herein effective October 2, 1959 and are to serve to the end of the session or as their services may be required by the Chief Clerk for the efficient operation of the work of the House:

CHAPLAIN; David R. Hoover.

JOURNAL CLERK; Howard E. Yale.

ASS'T JOURNAL CLERK; Francis J. Falkenstein.

READING CLERKS; F. Howard Hosmer, Paul N. Tighe.

MESSAGE CLERK; B. Frank Swigert.

ASS'T MESSAGE CLERK; Frank Lilly.

CHIEF POSTMASTER; William C. Brady.

ASS'T POSTMASTERS; Wm. H. Walp, Samuel G. Ludlow.

CHIEF SGT. AT ARMS; Harry E. Hertzog.

SERGEANT AT ARMS; Ernest J. Caterina, Nicholas Krill, Paul A. Moyer, Edward Kuskiewicz, John F. O'Toole, Ray Newman, John J. Zuback, John Y. Dentzel, Samuel A. Kelly, Frank DiVincenzo, Robert S. Guckert, Dominic J. Perrone, John Burin.

CHIEF DOCUMENT CLERK; Harry Michlovitz.

DOCUMENT CLERKS; Frank Yocum, John J. Foley, John Maestrale, Morris Rosen, Benjamin Boory, Walter H. Singleton, Frank Sirece, Orville H. Wright, Herbert Taylor, William I. Shields, Edward H. Scharadin, Oscar O. Zimmerman, Christian Rathfon, Frank Forosisky, Arthur Wilson.

BILL NUMBERING CLERK; Frank J. Szobocsan.

CHIEF MAILING CLERK; William E. Roeder.

MAILING CLERKS; Steve Wadyak, Marie D'Scascio, Thomas P. McGinley, Raymond Boss, Charles G. Huffman, George Stewart, Philip Fratti, Thomas F. Heiler, James Hanson.

STENOGRAPHERS; Marie B. Moser, Florence A. Moran,

Esther C. Stoner, Jeanetta Cohen, Katherine E. Clements, Gertrude Woods, Marian E. Thomas, Virginia P. Sweitzer, Evelyn R. Miller, Gertrude N. McNeill, Kenneth C. Lint, Gloria G. Pantalone, Calvin Gallatin, Jane R. Diederichs, Jean M. Ryan, Marjane Reich, Grace S. Gill, Mary Ann Septak, Marian E. Seibert, Shirley A. Kyper, Helen Di-Frances, Goldie B. Marsh, Cassandra L. Cryder, Anna G. Hyman.

CHIEF TELEPHONE ATTENDANT;

TELEPHONE ATTENDANTS; Mary M. McHale, Margaret K. Stuckowicz, Lester C. Jolly.

CHIEF PAGE; Benjamin H. Foltz.

PAGES; Joseph Wanbach, William J. Jones, Stephen Miller, Joseph W. Heim, William J. Wilburn, David R. O'Brien, Eugene Boyer, Joseph C. Hirschman, Forrest A. Berkey, George R. Wingert.

And it is further resolved that all employees having served the House in various designated positions since the beginning of this Legislative Session where election by the House was required under any prior acts of assembly pertaining thereto, are hereby confirmed and approved as if they had been elected prior hereto.

On the question,

Will the House adopt the resolution?

QUESTION OF INFORMATION

Mr. GOLDSTEIN. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOLDSTEIN. What is the purpose of the resolution as far as salary schedules are concerned? Are they predated?

The SPEAKER pro tempore. Would the gentleman desire to interrogate the gentleman from Erie, Mr. Polaski?

Mr. GOLDSTEIN. Will the Majority Leader consent to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, under this particular resolution are salary schedules predated?

Mr. McCANN. Mr. Speaker, under this resolution no salary schedules are predated. This is the resolution which is submitted every Session of the General Assembly by the Slate Committee in compliance with the assignment of positions by title. It does not have to do with salary; for example, whatever the salary is, that is what it is by law, and it is not predated. May I bring to your attention that Senate Bill 309 became an Act on Friday, October 2, and nothing is predated before that date.

Mr. GOLDSTEIN. Thank you.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

CONGRATULATIONS

Mrs. ANDERSON, Mrs. F. R. JONES, Mrs. MARKLEY, Mrs. B. Z. MILLER, Mrs. KOOKER, Mrs. PASHLEY, Mrs. MUNLEY, Mrs. DONAHUE, Mrs. KERNAGHAN and Mrs. REIBMAN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, October 14, 1959.

On Wednesday, October 14, 1959, when the Governor and Mrs. Lawrence officially designate them as such, eight prominent Pennsylvania women will be recipients of an award as a result of their being chosen as the 1959 "Distinguished Daughters of Pennsylvania."

We, the members of the House of Representatives, should

be proud of these ladies for they have brought honor upon themselves as well as our State, but we must be especially proud of one of them because she is a member of this distinguished body.

The lady from Philadelphia, and the ever popular majority whip Mary A. Varallo was one of the four who was chosen from the Philadelphia area. Mary, who in private life is Mrs. Alfred Varallo of 1418 Point Breeze Avenue, is dean of the women members of this House. She was first elected in 1944 and time and time again she has been reelected which shows that the people of her district also feel that she is a distinguished daughter of Pennsylvania.

The idea of selecting Distinguished Daughters originated in 1949 during Pennsylvania Week celebrations and a candidate is judged for her personal worth or accomplishment which will benefit mankind and bring honor to her home community or State. Most certainly Mary A. Varallo's accomplishments will bring honor to her home, community and our state in that she was the author and sponsor of Pennsylvania's first law granting equal rights to women as well as many other laws and resolutions designated to make our State a better place in which to live.

In the past other awards have been granted Mrs. Varallo. For her untiring zeal in working in their orphanage, the Missionary Sisters of the Sacred Heart gave her their award in 1955. In 1958 the Republic of Italy awarded her its "Star of Solidarity" for her deeds in cementing relations between Italy and the United States. She has also received awards from the Afro-Methodist-Episcopal Church, the Southwest Business Men's Improvement Association and the Negro Women of Philadelphia County.

A person could go on endlessly praising the achievements of Mary Varallo, but all of us here, both Republican and Democrat know of the splendid job she has done for her party and for the House of Representatives as a whole. She richly deserves the honors which have been bestowed upon her and by designating her as one of the Distinguished Daughters of Pennsylvania, the judges have made a selection that we are sure will be concurred in by millions of Pennsylvanians. The distinguished Congressman, William J. Green, Jr. has many many times praised Mrs. Varallo for the work she has done for her party and we are sure that if he were here today, he would join with us in presenting this resolution.

We, the members of the House of Representatives, would like to take this opportunity to offer our sincere congratulations to Mrs. Varallo upon her selection for this high honor, therefore be it

Resolved, That the House of Representatives congratulate the lady from Philadelphia upon her being designated as one of the "Distinguished Daughters of Pennsylvania" for 1959, and be it further

Resolved, That a copy of this resolution be presented to Mrs. Varallo.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Varallo.

Mrs. VARALLO. Mr. Speaker and Members of the House, I am deeply grateful for this resolution that passed the House today unanimously.

I want to say that every time I look at this resolution I will think of the many happy hours I have spent in this House of Representatives, the many friends I have made here since I have been a Member of this House, and the kindness and courtesy of the Members on the other side of the House, particularly the women.

I am very pleased that the women were at the reception today to see me awarded this gold medal that I have here. I want to thank you very much for this honor today. Thank you.

The SPEAKER pro tempore. The Chair would like to state that Mrs. Varallo, in being singled out for this honor, has brought honor not only to herself, but as a Member of the House she has brought honor to the

House itself. I know all of you join me in wishing her continued success and good health.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

RECONSIDERATION OF VOTE

Mr. SCHUSTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHUSTER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 3, page 4, lines 14 and 15, by striking out "TWO YEARS" and inserting: one year.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

TIME EXTENDED ON BILL

Mr. McCANN asked an obtained unanimous consent to extend the time five days on House Bill No. 2323, Printer's No. 1401 on page 21 of today's calendar, bill on third reading postponed.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL NO. 868.

An Act amending the title an act of June 17, 1915 (P. L. 1012), entitled, as amended, "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 868.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON SENATE BILL No. 810

Mr. DOUGHERTY. Mr. Speaker, I move that the vote by which Senate Bill No. 810, Printer's No. 1219, entitled:

"An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'Banking Code,' further providing for the lending of money by banks and bank and trust companies."

was defeated on Final Passage Wednesday, September 30, 1959, be reconsidered.

Mr. GALLAGHER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia Mr. Dougherty vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Bucks, Mr. Gallagher vote on the final passage of this bill?

Mr. GALLAGHER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. DOUGHERTY. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1342

Mr. PRENDERGAST. Mr. Speaker, I move that the vote by which House Bill No. 1342, Printer's No. 1711, entitled:

"An Act amending the 'Liquor Code,' approved April 12, 1951 (P. L. 90), excepting certain clubs from the quota limitations."

was defeated on Final Passage Tuesday, October 13, 1959, be reconsidered.

Mr. SCHAAF. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Northampton, Mr. Prendergast vote on the final passage of this bill?

Mr. PRENDERGAST. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Erie, Mr. Schaaf vote on the final passage of this bill?

Mr. SCHAAF. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. PRENDERGAST. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PRENDERGAST asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, line 1, by triking out "Section" where it appears the second time, and inserting: "Subsection (a) of section."

Amend Sec. 1, page 2, line 2, by inserting after "Code": "amended August 11, 1959 (Act No. 220)."

Amend Sec. 1, page 2, lines 2 and 3, by striking out "by amending subsection (a) and adding at the end thereof a new subsection."

Amend Sec. 1 (Sec. 461), page 2, line 9, by inserting after "to": "airport restaurants [and]."

Amend Sec. 1 (Sec. 461), page 3 line 6, by inserting after "hotels": [and] airport restaurants."

Amend Bill, page 3, by inserting between lines 9 and 10: "Section 2. Section 461 of the act is amended by adding, at the end thereof, a new subsection to read:"

Amend Sec. 1 (Sec. 461), page 3, line 10, by striking out "(d)" and inserting: "(e)."

Amend Sec. 1 (Sec. 461), page 3, line 16, by striking out "TWO YEARS prior to filing an application for a license" and inserting: "one year prior to the effective date of this act."

The SPEAKER pro tempore. Will the House give consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORTS FROM COMMITTEE

Mr. GEDFAND from the Committee on Judiciary, reported as amended, House Bill No. 446 entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

Mr. STANK from the Committee on Counties, re-reported as amended, House Bill No. 460, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An Act establishing a uniform fee for services of recorders of deeds in counties of the third * * * and eighth classes" changing certain fees.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 723, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

Mr. COMER from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; * * * and making an appropriation therefor, authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed, under certain terms and conditions.

Mr. HEFFNER from the Committee on Counties reported as committed, House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; * * *" extending the provisions of the act to include certain per diem employees.

Mr. O'NEIL from the Committee on Counties, reported as committed, Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Commission by defining a "sub-divider" and "developer."

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 723, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; * * * and making an appropriation therefor, authorizing cities of the first class to remove wharves, piers bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed, under certain terms and conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; * * *," extending the provisions of the act to include certain per diem employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 915.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1213.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

HOUSE BILL No. 2335.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

With the information that the Senate has passed the same without amendment.

BILLS INTRODUCED AND REFERRED

By Messrs. PRICE, FULMER SNARE, ZIMMERMAN and SCHWARTZ. HOUSE BILL No. 2423.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of the Boy Scouts of America.

Referred to the Committee on Rules.

By Mr. KOVOLENKO. HOUSE BILL No. 2424.

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of acquiring a bridge in Beaver County.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DAVIS. Concurrent RESOLUTION No. 121

In the House of Representatives, October 14, 1959.

The year 1960 will be the 225th Anniversary of the arrival of the first Moravian Colony in America. In February, 1735, a group of Moravians under the leadership of August Gottlieb Spangenberg sailed for Georgia. They reached Savannah in April, 1735.

Moreover, the year 1960 is also the 225th Anniversary of the departure of David Zeisberger for America, where he was to spend a lifetime of devoted missionary work among the Indians—especially in Pennsylvania. Zeisberger and his wife Rosina, sailed from England in November 1735, with the second colony of Moravians. They were under the leadership of David Nitschmann, later consecrated the first Bishop of the Renewed Moravian Church.

It was this Nitschmann, "the carpenter," who designed and erected the first buildings in Bethlehem, Pennsylvania, and so established the style of architecture which marks the older part of that historic city.

A further point of significance is the fact that the party of which David Zeisberger was a member had much to do with the development of the great Methodist movement. On the ship was John Wesley, who was much to do with the development of the great Methodist the years he kept in touch with his good shipboard friends who were destined to leave so strong and lofty an imprint upon the moral and religious traditions of Pennsylvania.

Clearly the year 1960 in the Moravian tradition, including Zeisberger's dangerous mission to the savage Indians of northwestern Pennsylvania which stemmed from the 1735 ocean voyage, is a year of inspirational significance to all Pennsylvanians; therefore be it

Resolved (the Senate concurring), That the General Assembly hereby requests that the Pennsylvania Museum and Historical Commission, happily in possession of so many documents of early Moravian historical lore, determine an historical site and/or enshrined relics carrying a suitable commemorative significance related to the 225th Anniversary of the coming of the first Moravian group and of David Zeisberger; and be it further

Resolved, That the Pennsylvania Museum and Historical Commission be further requested to recommend to the 1961 Session of the General Assembly the establishment of a 225th Anniversary commemorative site and/or enshrined relics together with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 494.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the assignment of pupils.

HOUSE BILL No. 794.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses and extending the provisions of the act to include violations at certain additional parks.

HOUSE BILL No. 795.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park.

HOUSE BILL No. 1076.

An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials.

HOUSE BILL No. 1649.

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

HOUSE BILL No. 1993.

An Act amending the act of March 26, 1873 (P. L. 48), entitled "An act authorizing the Supreme Court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions" extending provisions of the act to various courts.

HOUSE BILL No. 2075.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for the promotions for certain persons.

HOUSE BILL No. 2210.

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841), reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

HOUSE BILL No. 2211.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

HOUSE BILL No. 2237.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act" defining or re-defining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

And has appointed Messrs. Kessler, Confair and Weiner and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 786, 1115, 1181 and 1200.

Amended House Bills returned for concurrence Nos. 660, 1472, and 2319.

ADJOURNMENT

Mr. JIM. Mr. Speaker, I move that this House do now adjourn until Thursday, October 15, 1959 at 9:00 a. m. EST.

The motion was agreed to, and (at 6.30 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., THURSDAY, OCTOBER 15, 1959.

No. 103.

SENATE

THURSDAY, OCTOBER 15, 1959.

The Senate met at 10:00 o'clock a. m. Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. MAX BURTON CONLEY, Pastor of Appleby Manor Memorial Presbyterian Church, Ford City, offered the following prayer:

Let us pray.

O Lord, our God, before Whom all pretenses fall away, Who knowest our secret thoughts and our hidden fears, bless us this day with Thy spirit and help us to discharge our duties faithfully and well. Let us not forget why we are here, and those who have made sacrifices of their lives that we might have a representative form of government.

While the voices of pressure groups ring in our ears, may it not drown out the voices who, of the past, said to us: "Give me liberty or give me death." "We hold these truths to be self-evident, that all men are created equal." God, grant the we shall never forget the foundation of equality, freedom and charity upon which this great Republic rests.

We pray for the President of the United States and those who advise him, those who sit in halls of legislation across the land the judges of the land and all those in authority, that it may please Thee so to rule their hearts that they may rightly use the trust committed to them for the good of all people.

Rise up among us, we pray, fearless men who know that only in doing Thy will can we find our peace. So make it plain to us this day and give us the courage to do it, in the Name of the Almighty, world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILL No. 375 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being intro-

duced, returned to the Senate, Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69), entitled "The Landlord and Tenant Act of 1951," exempting additional property from execution by landlord for nonpayment of rent.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 823 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, "Orphans Court Act of 1951," divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 261, entitled:

An Act relating to the practice of massage, providing for the examination, licensing, registration and regulation of masseurs and masseuses; conferring powers and imposing duties upon the Department of Public Instruction; and fixing penalties for violations.

Which was committed to the Committee on Rules.

House Bill No. 626, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), increasing monthly pension allowance and maximum income allowance and establishing the sum of income and pension as a ceiling for pension receivable.

Which was committed to the Committee on Rules.

House Bill No. 871, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), further regulating school bus lighting

equipment.

Which was committed to the Committee on Rules.

House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

Which was committed to the Committee on Rules.

House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

Which was committed to the Committee on Rules.

House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels, water skiing, and aquaplaning upon the waters of this Commonwealth; conferring powers and imposing duties on the Department of Revenue and the Pennsylvania Fish Commission; prescribing penalties; making an appropriation from the General Fund to the Fish Fund and providing for the reimbursement of the General Fund.

Which was committed to the Committee on Rules.

House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted, relating to the taxation of real estate.

Which was committed to the Committee on Rules.

House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), including certain diseases of fire-fighters within the meaning of the term occupational disease.

Which was committed to the Committee on Rules.

House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims; providing for appeals to the Supreme Court; providing for salaries of the members of the Board the procedure to be followed; and further providing that the Commonwealth consents to be sued upon contract claims.

Which was committed to the Committee on Rules.

House Bill No. 2316, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

Which was committed to the Committee on Rules.

House Bill No. 2372, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the employment of former members of school boards as teachers.

Which was committed to the Committee on Rules.

House Bill No. 2374, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), authorizing tax collectors to deduct commissions from taxes which he has collected.

Which was committed to the Committee on Rules.

House Bill No. 2382, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the provisions which make certain worldly employment unlawful on Sunday.

Which was committed to the Committee on Rules.

House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

Which was committed to the Committee on Rules.

House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; ***" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

Which was committed to the Committee on Rules.

House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions, prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

Which was committed to the Committee on Rules.

House Bill No. 2396, entitled:

An Act amending the "Public Bathing Law," approved June 23, 1931 (P. L. 899), setting forth the requirements for accident prevention and life-saving equipment and personnel at public bathing places.

Which was committed to the Committee on Rules.

HOUSE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO SENATE
BILL No. 868

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 868, entitled:

An Act amending the title and act, of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars; increasing the rate of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

SENATE INSISTS UPON ITS NON-CONCURRENCE
IN THE AMENDMENTS MADE BY THE HOUSE
TO SENATE BILL No. 868

Mr. BERGER. Mr. President, I move that the Senate

insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 868, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 274, Printer's No. 1703;
House Bill No. 494, Printer's No. 164;
House Bill No. 621, Printer's No. 1757;
House Bill No. 661, Printer's No. 1570;
House Bill No. 662, Printer's No. 1571;
House Bill No. 794, Printer's No. 270;
House Bill No. 795, Printer's No. 271;
House Bill No. 1071, Printer's No. 1676;
House Bill No. 1076, Printer's No. 773;
House Bill No. 1173, Printer's No. 1310;
House Bill No. 1175, Printer's No. 1311;
House Bill No. 1176, Printer's No. 878;
House Bill No. 1229, Printer's No. 1259;
House Bill No. 1438, Printer No. 572;
House Bill No. 1609, Printer's No. 1049;
House Bill No. 1649, Printer's No. 1487;
House Bill No. 1723, Printer's No. 707;
House Bill No. 1725, Printer's No. 789;
House Bill No. 1730, Printer's No. 792;
House Bill No. 1897, Printer's No. 1657;
House Bill No. 1968, Printer's No. 1613;
House Bill No. 1993, Printer's No. 1643;
House Bill No. 2075, Printer's No. 1180;
House Bill No. 2110, Printer's No. 1828;
House Bill No. 2210, Printer's No. 1271;
House Bill No. 2211, Printer's No. 1272;
House Bill No. 2237, Printer's No. 1758;
House Bill No. 2267, Printer's No. 1340;
House Bill No. 2270, Printer's No. 1343;
House Bill No. 2320, Printer's No. 1504; and
House Bill No. 2321, Printer's No. 1495.

BILLS INTRODUCED AND REFERRED

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 1227, entitled:

An Act amending the Act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951," permitting students in their final semester of chiropractic college to be admitted to the standard examination.

Which was committed to the Committee on Rules.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1228, entitled:

An Act amending the act of March 2, 1956 (P. L. 1206), entitled "Chiropody Act of 1956," changing the definition of the term chiropody and the term chiropodist.

Which was committed to the Committee on Rules.

SENATE RESOLUTION

TO DISCHARGE COMMITTEE ON FINANCE FROM

FURTHER CONSIDERATION OF HOUSE BILL No. 656

Mr. LANE offered the following resolution, which was read as follows:

In the Senate, October 15, 1959.

RESOLVED, That House Bill No. 656, Printer's No. 418, entitled "An act reenacting and amending the act of June 22, 1935 (P. L. 414), entitled, as amended, 'An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection and lien of the same and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries and court clerks and on persons, copartnerships, associations, banks, national banks, trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties and making an appropriation,' by reenacting and clarifying the State personal property tax, increasing the rate thereof and of the corporate loans tax, granted certain additional exemptions and credits and providing for the valuation of stock in certain investment companies," having been referred to the Committee on Finance on June 30, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

The PRESIDENT. Senator Lane, are you seeking the immediate adoption of this resolution?

Mr. LANE. Yes, Mr. President.

The PRESIDENT. Is there any objection?

Mr. BERGER. Mr. President, I certainly have objection to the immediate adoption of the resolution. However, this resolution, as I understand it, must be acted upon immediately.

On the question,

Will the Senate adopt the resolution?

Mr. LANE. Mr. President, my reasoning in offering this resolution today is in view of the circumstances surrounding our budgetary problems. This legislation has been in the Finance Committee for quite some time. It has not moved. I feel that there is a definite need for this tax bill being reported to the floor and acted upon.

At a recent meeting which was held, covering the budgetary problems in Pennsylvania, I found that we have a little bit more than \$1,000,000 to go on. With \$1,000,000, we are not going to do much as far as increasing the subsidies for our various school districts. I figure, with the Republican story of an additional \$28,000,000, which they claim they have given to the Department of Public Instruction and the \$55,000,000 contained in this bill, that we will be able to do something for public education here in Pennsylvania.

We have taxed the poor people of this Commonwealth with a four per cent sales tax. There is no reason in the world why we should not tax stocks and bonds. It is only fair and equitable that we should spread this load. It seems to me that we should have a vote today on whether or not this bill is going to be reported from committee. That vote would be indicative to me and, I believe, to the public of Pennsylvania that if they vote in the negative, then the Republicans position is, "Soak the poor and let us take care of the rich."

Mr. BERGER. Mr. President, this, of course, is not the first word and possibly not the last that will be heard upon this subject. The gentleman's remarks would indicate that it all depends upon which end of the field glasses you put your eyes, whether you get the small picture

or the large picture, when it refers to the amount of money which is rattling around in the various departments and in the appropriations bill.

However, Mr. President, as we have stated here before, and I reiterate, most of the opposition I have received regarding this bill comes not from the people whom you would classify as wealthy people, but from small people who have accumulated a competence and are receiving their income from it. Consequently, Mr. President, I request my colleagues to vote "no" upon this resolution.

Mr. DONLOW. Mr. President, I should like to add my voice in favor of this resolution, in view of the fact that we, from Philadelphia, feel that it is of great importance that we secure an appropriation for our school district. This is one way in which we could bring to an end the bickering and the back and forth struggle which is going on over in the House in passing a decent subsidy bill whereby the school district of Philadelphia will receive its just share. By passing this bill containing the stocks and bonds tax, which will raise some \$55,000,000, plus the other \$28,000,000 which we can get out of the budget, I feel that this will bring to an end the ills and certainly will permit us to get home before the Christmas holidays.

Mr. WEINER. Mr. President, I think one of the strongest points in favor of the stocks and bonds tax is the fact that I think everyone is aware of the educational problem that we are having in this Commonwealth. I would like to say to the gentlemen on the other side, who are interested in this matter, that if they do not want to enact the tax as it stands now, with the \$55,000,000 yield which it would bring into Pennsylvania, and earmark that strictly for educational purposes, and they feel that \$30,000,000 is sufficient—I have heard that expressed by one of the gentlemen over in the House, and I believe I read in the newspaper that one of the gentlemen over there feels that this is what is needed for education—then let them reduce this measure to the point where it will yield the \$30,000,000 and earmark that for educational purposes or for education.

I think all of us are aware—especially this week, which is Schoolmen's Week—of the plight in which the school-teachers find themselves. I think there is not a gentleman sitting here today who, in his county, is not having difficulty in getting qualified school teachers to teach and take part in the community activity of educating the young. It is only money which is keeping many of the communities from obtaining the finest kind of school teachers and school personnel they can get.

We find that many of the young people who come to Pennsylvania from other States, to be educated as school teachers, immediately leave this area and go somewhere else. In the Philadelphia school area, I can say—and I think the gentleman from Montgomery will agree with me—that the best paid teachers in the Commonwealth are in Montgomery County. Many of our teachers have crossed the Philadelphia line into areas such as Abington, where they receive more money and have a better retirement system, thereby leaving our community without the adequate kind of people whom they need.

I am sure that all of us are aware of the fact that the more problems a child has, the better teacher he should have. Children who are gifted and able merely need slight guidance and not the type of help that good school

teachers and good personnel, necessary in the public school system, can provide. These people are like all of us. The economic problem is an acute one with them and it usually follows along that line.

We have the vehicle here with which to do the job. We are asking, and imploring, that we have another look at this problem, and that we do not close our eyes to the possibilities which exist here. Therefore, when we leave here, we will not be able to say, "Why did we not do this? Why did we take this action? Why is it that our school system is suffering?" The money is here and the programs are available to us. All we have to do is take action.

Mr. LANE. Mr. President, I heard the argument this past week in regard to the revenues which we have available in order to finance government. I believe we had a return of about \$2,700,000 to the General Appropriations Bill. We had about \$300,000 restored to PIDA. I do not believe we had anything returned for redevelopment.

However, Mr. President, the \$55,000,000, which they claim this bill will produce, is absolutely essential at this particular time for the following reason. First and foremost, we have House Bill No. 1108, which is the school subsidy bill. I believe that every school teacher in Pennsylvania and every school board in Pennsylvania is looking to this Legislature for some financial assistance. It also seems to me, Mr. President, that we should assume our responsibilities and do the best we can for public education.

It was in very poor taste that the Republican Majority in this Senate advocated and passed a four per cent sales tax. Incidentally, while I am on that subject, one of the feature writers for the Pittsburgh Press said that the Republicans were so anxious for that four per cent tax that they could almost taste it. They were afraid it was not going to pass. Therefore, since they passed that and since they received many communications from the poor people in regard to that legislation, it is only fair and just that they consider this resolution, pass this resolution and bring this bill to the floor.

I own stocks and bonds and I am willing to pay my particular share if it is going to help public education. I believe that every thinking citizen feels that they should assume their proportionate share of financing government. In this entire Session, there has been a hodgepodge of taxes. First they yelled about the Hood-Kennedy Report. They said that is what they wanted and that is what must be passed, and they were going to adopt it. However, they did not go far enough, Mr. President, to recognize the need for additional legislation to bring about additional revenue. For that reason, they have killed this bill and held it in committee.

As a matter of fact, a number of leaders on the Republican side have said that this bill will never come out of committee and, if it does, it will be over their dead bodies, or words to that effect. It seems to me that if they are sincere in helping finance government, they will report this bill. However, I do not think they are. I think they are running for Governor. They began during this Session to run for Governor. I do not think they are sincere, but I do think we should have a vote in order to see how they stand.

Mr. SILVERT. Mr. President, the brief remarks I am about to make are necessarily a repetition, but I do want

to state my position on this resolution.

We have a distressed school situation in Philadelphia. We must raise an additional \$13,000,000 annually on top of a budget of \$93,000,000 that we have presently. We see no way, no measures, tax measures, that can supply this money. We are hoping that House Bill No. 2354 will be enacted into law. It would help a great many districts in the State of Pennsylvania, including Philadelphia.

There is no bill in the House or Senate that can meet the needs of the additional money needed for education, other than this bill which imposes a tax on stocks and bonds. As Senator Lane said, I own some stocks, too. I want to take the same position, as to myself, personally, as is taken in the many hundreds of letters which I received from my District. These letters say, "Give us the money we need for the schools. We are willing to pay the additional taxes necessary."

Mr. President, I say that, personally, I am willing to pay the additional taxes necessary to meet the needs of our schools.

Mr. KESSLER. Mr. President, this attack, I suppose, is aimed at me as Chairman of the Senate Finance Committee, and I feel called upon to explain why I have not brought House Bill No. 656 up for consideration.

This is known as a tax on intangible personal property. It is really a tax on stocks, bonds, mortgages and other evidences of indebtedness, based on the face value and not on any income that might be derived from such holdings. Actually, the tax, as proposed, will bring a total of about a twenty-five per cent tax on the income that is derived from such holdings. It comes on top of a four mill tax that is imposed by most counties, and the bill contains some tempting exemptions for residents of our two largest cities. Pittsburgh, which already imposes a ten mill tax through their various taxing agencies, would not pay any of this personal property tax for State purposes. Philadelphia, and its various taxing bodies, imposes an eight mill personal property tax, so that the people in Philadelphia would be expected to contribute only two per cent additional tax on their holdings to the Commonwealth of Pennsylvania.

It seems if we are going to impose taxes for State purposes, they should be imposed equally on all of the residents of the Commonwealth.

I am not concerned with the exemptions at this time, but what does concern me is the Governor's evident misconception of where the impact of this tax will be felt most painfully. Quite possibly, his acquaintanceship with the wealthier elements of the community has led him to believe that it is they and only they who are the owners of shares of stocks, bonds and mortgages. These people, the Governor probably feels, as do the men on the other side, are well able to pay, so let them pay. However, I wonder if we are all aware that hundreds of thousands of Pennsylvania's working men and women own shares of stock in the companies they work for, and often in other companies besides.

Are we to forget that these people, from their savings, have purchased shares of stocks and bonds over the years in the hope of assuring themselves of income when they retire or are forced out of employment? Many men and many widows in Pennsylvania are living on savings such as that which were earned by the wage earners in their family.

I expected this issue to come up before the Senate

sooner or later, and I have been collecting some data that I would just like to put into the record.

The American Telephone and Telegraph Company had these stock facts prior to the three-to-one split up:

There are 70,000,000 shares in the company, and there are 1,650,000 shareowners. The share distribution is on this basis: Fifty per cent of the shareholders own one to fifteen shares; fourteen per cent, sixteen to twenty-five shares; twenty-seven per cent, twenty-six to ninety-nine shares; and nine per cent, 100 shares and over. No individual holds as much as one-thirtieth of one per cent. Most of the new owners start by purchasing ten shares or less of stock. The number of owners in American Telephone and Telegraph has increased 137 per cent since 1945.

I just made a few notes from an article, "Small Stockholders in U. S. Industry," appearing in a magazine of September 1959.

Roger M. Blough, President of the U. S. Steel Corporation, says:

"The owners of our business outnumber the employees by a considerable margin; and no one of them holds as much as three-tenths of one per cent of the outstanding stock."

General Electric Company has 376,000 stockholders. One in ten families owns stock. In 1956, there were 8,630,000 stockholders.

I would like to read two brief paragraphs from a bank paper of October 1, 1959:

"In this decade, marked by fast growth in the number of middle-income families, the number of shareholders in U. S. corporations has more than doubled. Just from 1952 to 1959, the number has increased from 6.5 million to 12.5 million.

"About 75 per cent of the current owners of U. S. corporations have annual incomes under \$10,000. Nearly 50 per cent are in the \$5,000 to \$10,000 income range."

It seems to me, when we are imposing a tax of this sort, too many of us assume that it is going to be paid by the wealthy people. However, it is the poor people today who are also investing in securities in order to provide for their old age.

As a concluding statement, I would like to read another comment. This is from Time Magazine of July 20, 1959:

"The village president of suburban Glenview, Ill., met with his board of trustees last week and took a 'malicious pleasure in hacking and slashing,' as he later confessed. What he hacked and slashed was spending items in the village's new budget, such as the library's request for \$91,000 (cut by nearly one-third) and the building commissioner's request for a \$2,500 car (cut to \$1,800). Explained President Jack Mabley, who makes his living as a Chicago Daily News columnist: 'There's a feeling of frustration and desperation among the taxpayers I meet, and this is one small way of doing something about it.'"

The article continues:

"When Massachusetts' Democratic Governor Foster Furcolo requested a chance to speak to General Electric workers at Lynn last month in defense of his embattled proposal to boost the state sales tax, they deluged him with 200 unfriendly questions, such as: 'When are you going to forget your giveaway programs?' 'Why

don't you do something to stop the disgraceful, wasteful spending of the taxpayers' dollars?"

I think, Mr. President, all through the Country, not only in Pennsylvania or Massachusetts but all over the United States, there is a growing push on the part of the people to reduce taxes, and not to increase them any more. Certainly we do not want to impose a tax that is going to discourage people to look out for themselves by saving and accumulating money so that they will not have to depend on the State for aid.

Mr. WEINER. Mr. President, I believe that a famous gentleman from this Country, who was not a member of the Democratic Party, once said that the purpose of government is to do for people those things which they cannot do for themselves. That was Abraham Lincoln, who was a very famous Republican, and who, I think, is held up by the Republicans as being one of their great standard-bearers and one of the people who best represents their philosophy.

In line with that thinking, helping people who are unfortunate, helping schools, helping education and doing the things for people which need to be done in the welfare and social areas, I think this is not needless spending, nor is it needless throwing away of money. We, in this State, are trying to find avenues of raising revenue so that we can keep the people, who teach our children, not only happy but at least in a position where they can vie with other people who are brought into industry, and perhaps enjoy a little better pursuit in the way of economics, at least in a competitive position.

In Philadelphia, we are already paying the personal property tax for our schools, so that we are not getting away with something or trying to evade our responsibility. We already pay a personal property tax. I might also add that if the assessments in some of the rural areas were up to the same level as they are in Philadelphia, perhaps the return to the communities would be a lot higher and their millage would not be as high.

When we talk about a stocks and bonds tax, we have heard here before about the poorer people being taxed. I do not think that is borne out by the facts. I think the best return—and most stockbrokers will bear this out—you can receive from a stock investment or a bond investment is four per cent. If you will stop and think for a moment about the amount of return that you have to get in order to be able to live on four per cent, and you consider the initial investment that has to go into that, you will see that we are not talking about poor people as such.

It is true that the corporations themselves have been fostering it—if you pick up the Wall Street Journal, it is in there every day—and asking people who have limited means to buy stocks and bonds. I think that is done more in the area of public relations, rather than in the area of having these people as truly investors. I think those of you who are familiar with corporations realize that there are different grades and different classes of stock. There may be a Class A Stock, which is in control of the company. There may be a Class B for those people they want to take into it. There may be a Class C, Class D and so on down the line, in order to have the public become interested in the corporation, for the very purpose of preventing certain things that are necessary in government from happening to these corporations.

American Telephone and Telegraph Company, I think, is a very good example, and I am glad Senator Kessler picked it. It is a company that has grown so large that it is a massive giant, and I think one of these days the Government may have to even deal with it. It is a company which, during the height of the depression, never missed paying a dividend, and paid a rather substantial dividend. The company has grown so rich and so heavy is their profit that they had to split their stock three-for-one.

These are all profit schemes. They are all schemes that are set up in order to evade further taxation, and this tax would not fall on those people if the bill remains the way it was when it came from the House. I have not seen it since that time. However, as it came from the House, this tax would only fall upon those corporations that are known as foreign corporations which have stock and do not pay taxes in the State of Pennsylvania to begin with.

A man who can also invest money in mortgages is certainly not a poor individual and is certainly not a person whom we have to support or who is looking to the public to support him. What is he actually being taxed on? He would be taxed on the profit that he would be making from the mortgage that he has given, or the money that he has loaned.

Money is a commodity, like any other commodity. It is kept by the banks as inventory, much the same as a storekeeper keeps cans of food on his shelves. What is wrong with taxing a storekeeper for certain amounts of money that he has or certain amounts of money that he gains from his inventory, or to tax a bank or to tax anybody else who owns stock from which they gain money?

We are not talking about the little person who gets perhaps \$400 a year or \$500 a year as a return on a stock investment, or bond investment, he has made. If this person can afford to keep his money in that vein, I do not think it is asking too much that he give up some of it to educate the people in this State. I am all for earmarking this tax for the very purpose of education.

I think when you take all these things into consideration, and merely hold up Pittsburgh and Philadelphia as being the ones that are escaping by this tax, it is not a fair incident, because these people have been paying this tax and paying it for a number of years for the purpose of supporting education in their communities. All you are doing is equalizing or leveling this tax throughout the entire State for that very same purpose.

I say to you that if you do not want to enact the \$55,000,000, let us reduce it to a point where we can earmark for education perhaps the \$27,000,000. Cut it in half, and let us specifically mark it for educational purposes because, as you well know, there is no money in the budget at this moment for that type of activity.

I think to take the attitude that this is taxing poor people is certainly throwing us off the track and laying down a smoke screen where it does not exist.

We can earmark this money for education and enact this tax. There is not one tax that is popular. There is no tax that you could ever bring out that everyone would favor 100 per cent or want to vote for and be happy about it. This is a vehicle that has passed the House, it is over here now, and we are asking for further tax money for this purpose. This is the way to do it.

I urge you with all the sincerity at my command, with all of the Democratic Members behind me, to at least

bring this tax before us, let us have a look-see at it on the Calendar and let us take some pertinent action on it. Perhaps it might need some amending, but we cannot do that unless the measure is before us. I am only asking you to bring it before us so that we might have an opportunity to act upon it.

Mr. LANE. Mr. President, I realize this is my third time up. I am only going to say a few words and sit down.

Mr. President, all of us are out of order. I am going to say it before Senator Berger says it because we are debating the bill and not the resolution. We have gotten away with that so far and, therefore, I am going to keep still on that point.

However, Mr. President, I would like to have the vote and then let us debate the bill in detail. Probably then we can answer Senator Kessler in detail in regard to the position that he takes that there is some sort of a conspiracy to eliminate Pittsburgh and Philadelphia. I think we can go into that in detail, in the event that the bill comes out on the floor, which I doubt.

Mr. HAYS. Mr. President, I suppose I am walking on sort of a tight rope in speaking on this motion, but I will do my best.

The PRESIDENT. Frankly, to speak on the motion would be perfectly in order. The problem that I have had is that of speaking on the bill.

Mr. HAYS. Mr. President, it is sort of a tight rope act, I am afraid to talk on the motion, but I will try to keep it within bounds.

It seems to me this Senate, before we adjourn, has three alternatives on this matter of more assistance for public education. We can give no additional assistance for public education; we can feign to give assistance to public education by passing bills and doing deficit financing. I notice that a distinguished Member of the House is now suggesting that this might be done in a deficit manner by borrowing from the Retirement Fund or from the Motor Fund. This, it would seem to me, would be just an evasion of the issue. Thirdly, we can do it through this stocks and bonds tax.

If we vote down this motion today, it seems to me that we are eliminating the third alternative. This will allow us only two alternatives; namely, either no additional support for public education or do it by a deficit financing method. It seems to me, in fairness to the school directors, the school children, the school teachers and the entire citizenry of Pennsylvania, that a matter of such importance should be brought from the confines of the committee and placed before the entire Senate of Pennsylvania in order for each Senator to be recorded on this very important issue.

Mr. VAN SANT. Mr. President, are we about to take a roll call on the resolution?

The PRESIDENT. We have had no request for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

Mr. WEINER. Mr. President, I second the request for a roll call.

Mr. VAN SANT. Mr. President, this may begin to sound like a broken record, but I asked yesterday, concerning another resolution, and I ask again today and I intend to keep asking of the Chair whether a vote on a discharge resolution constitutes a vote for or against the bill.

The PRESIDENT. It does not.

Mr. WEINER. Is that a ruling of the Chair?

The PRESIDENT. That is a ruling of the Chair.

REQUEST TO APPEAL RULING OF THE CHAIR

Mr. WEINER. Mr. President, I would like to appeal that ruling.

The PRESIDENT. You may do so.

Mr. WEINER. Mr. President, this resolution is for the discharge of the committee which is studying the piece of legislation that is in front of it. If this legislation is not brought before us, how can anyone say he is for or against it unless there is the opportunity to do so?

The PRESIDENT. I would agree with you on that point.

Mr. WEINER. The only thing the resolution asks for is that this matter be brought before us and that the committee be discharged from further consideration. I think a vote against the resolution is a vote against the measure, itself. I cannot understand how the Chair would indicate that this is a matter which is being resolved here in that you vote one way on one piece of legislation which deals with the same thing, and you vote another way on the other. It certainly is inconsistent.

I did not broach this matter yesterday because we had gotten into many other phases of it and I did not want to prolong it then. However, it seems to me that this is a non sequitor if I ever heard one. In other words, if you are against bringing this matter before you, in order to do anything about it, then how could you be for it?

The PRESIDENT. The question before the Senate is on an appeal from the ruling of the Chair that a vote for or against the discharge of a committee is not a vote for or against the bill. A vote to sustain the Chair's ruling is an "aye" vote. A vote to reverse the Chair's ruling is a "no" vote.

I am sorry. We will probably have to call the roll on this question.

The Clerk will call the roll.

On the question,

Will the Senate sustain the ruling of the Chair.

Mr. SEYLER. Mr. President, what is the question on which I am voting?

The PRESIDENT. I do not know how I could put it more plainly. Do you want the reporter to read my words back to you?

Mr. SEYLER. Mr. President, has a motion been made to sustain the ruling or is—

The PRESIDENT. There has been an appeal from the ruling of the President. The Chair ruled that a vote on the resolution to discharge this bill from committee is not a vote for or against the bill, itself.

I admit that the Chair permitted the Senators to speak at length on the merits of the bill, itself, which I should not have done. However, the Senators seemed to feel they wanted to talk on the merits of the bill. I do not think, however, that my ruling is improper in the least.

There has been an appeal and I am saying that anyone who votes "aye" will vote to sustain the Chair's ruling. Those who vote "no" will vote to reverse the Chair's ruling.

Mr. DONOLOW. Mr. President, can the Presiding Officer make such a ruling to interpret a vote made on this floor?

The PRESIDENT. I would know of no authority. If

the Senator has any authority against my so ruling, I shall be glad to listen to it.

Mr. DONOLOW. Mr. President, you did not answer the point of information I just raised. Do I understand that the Presiding Officer says that in his capacity as Presiding Officer he can interpret my vote?

The PRESIDENT. There is no interpretation of a vote here, Mr. Donolow, and you know that as well as I.

Mr. DONOLOW. Mr. President, are you not interpreting a vote when a Member of this Senate asks you whether he is voting for or against the bill on a discharge resolution? Are you not interpreting the significance of his vote when he asks you that question? Does not his vote speak for itself without your interpretation? Can you go beyond my "aye" vote or my "no" vote in order to determine to what depth it goes, whether it goes to the resolution or whether it goes to the very heart of the bill itself? Are you not then making a legal interpretation which is beyond your power as Presiding Officer?

The PRESIDENT. You are free to argue that.

Mr. DONOLOW. Mr. President, I am asking this as a question.

The PRESIDENT. You are free to argue that point on the question as to whether or not the Chair's ruling will be sustained or reversed. I am perfectly happy to give you the floor for that purpose. Any decision that is final in this regard must be given by the Senate itself.

Mr. LANE. Mr. President, may I rephrase the question this way?

The PRESIDENT. What question, sir?

Mr. LANE. The question in regard to whether or not a gentleman voting against a discharge resolution is actually voting against the bill. I believe that is the question before us, and then an appeal was made. The Chair has now taken the position that although the gentleman may vote against the resolution, it does not indicate that they would vote against the legislation. Is that correct?

Mr. President, taking the same set of circumstances, is it indicative to you that if a Member of this Senate would stand on the floor and oppose the passage of this resolution, would you not assume that he intended to oppose the passage of the legislation? I am asking for your opinion.

The PRESIDENT. That is a matter which is within the Member's own conscience. I cannot read a man's mind. I have no opinion, whatsoever, on that point, sir.

Mr. LANE. Mr. President, you must—

The PRESIDENT. It is very possible that a Member could feel that the committee needed additional time to study a particular bill and would, therefore, vote "no" against discharging it. However, I would not know of any way in which I would know why he was voting. I have just been told by Senator Donolow that it is not my prerogative to interpret the vote of any Senator and I agree wholeheartedly with him.

Mr. LANE. Mr. President, would you assume that the committee would need additional time when it has had the bill since June 1? I think we are walking on thin ice when any Member of this Senate would take the position that they needed additional time.

The PRESIDENT. I think this matter is all a matter of thin ice, Senator Lane.

Mr. WEINER. Mr. President, may we be at ease for a moment in order to have a side bar conference?

The PRESIDENT. The Senate will be at ease.
(The Senate was at ease.)

Mr. WEINER. Mr. President, it may be that we misunderstood the Chair's ruling.

The PRESIDENT. Might I state to you that I was ruling on two individual questions? I am simply ruling that these are separate questions to be voted upon separately.

Mr. WEINER. Then your ruling is that the vote on the matter before the Senate now is merely a vote on the resolution. Is that the Chair's ruling?

The PRESIDENT. That is correct.

REQUEST TO APPEAL RULING OF THE CHAIR WITHDRAWN

Mr. WEINER. If that is the Chair's ruling, I will withdraw my appeal.

The PRESIDENT. A roll call having been requested, the Clerk will call the roll.

The question is on the motion to discharge the Committee on Finance from further study of House Bill No. 656, Printer's No. 418.

And the question recurring,

Will the Senate adopt the resolution?

Mr. VAN SANT. Mr. President, I do not want to prolong this, but I would just like to have a clarification of your ruling on my original question, before we have the roll call.

The PRESIDENT. I do not know what clarification I can give you, Senator Van Sant, other than what I have given you. In my opinion, you are voting on the question as to whether or not to discharge the committee from further consideration of this bill. The vote is on that resolution.

Mr. VAN SANT. I thank the Chair.

Mr. LANE. Mr. President—

The PRESIDENT. I think we can call the roll on this, Senator. I am afraid any further discussion at this point would only confuse the issue.

Mr. LANE. Mr. President, I would like to discuss this further with Senator Van Sant. I would like to ask him, in the event this resolution prevails, would he vote for the bill?

Mr. VAN SANT. Mr. President, I am a member of the Finance Committee and a Member of this Senate. The bill is not before the committee and has not been before the committee for a vote. It is not before the Senate at this time for a vote. For that reason, I decline to answer the gentleman.

Mr. LANE. Mr. President, it is indicative to me that the gentleman does not want to vote for the bill. That is the story.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. LANE and Mr. WEINER,

and were as follows, viz:

YEAS—21

Camel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Ripp,
Rooney,

Ruth,
Sarraf,
Seyler,
Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

So the question was determined in the negative.

(Remarks of the gentleman from Philadelphia, Mr. Weiner, stricken from the record, pursuant to the following request.)

Mr. BERGER. Mr. President, I submit to the Chair that the remarks of the gentleman are highly out of order and request that they be stricken from the record.

The PRESIDENT. They may be stricken.

PUPILS FROM NITSCHMANN JUNIOR HIGH SCHOOL,
BETHLEHEM, LEHIGH COUNTY,
PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, on the brighter side, we are pleased to have with us today some visitors whom I would like to introduce at this time because they want to go elsewhere.

From the Land of the Golden Touch, Lehigh County, here in Pennsylvania, in the city of Bethlehem, we are happy to welcome a group of my young constituents who are ninth grade students from the Nitschmann Junior High School, and are accompanied today by Harold F. Shunk, Camille Weidner, Mrs. Pavalko, Mrs. Walters, Mr. Masteller and Mr. Saunders. These are ninth grade civics students, with whom I have visited in past years at the Nitschmann Junior High School, and they are a wonderful group that is interested in State Government. I hope they saw demonstrated here today the type of action and the type of representation that all of the Senators of Pennsylvania give all of their constituents.

Several of the group come from neighboring Northampton County, and they are equally the guests of my distinguished colleague, the Honorable Fred B. Rooney.

The PRESIDENT. Will the group rise, please?

We are, indeed, very happy to have you here with us in the Senate today.

REPORT FROM COMMITTEE
ON EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF
EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1961, and until their successors shall have been appointed and qualified:

William A. Sodeman, Dean, Jefferson Medical College, Philadelphia, Philadelphia County.
Charles S. Cameron, Dean, Hahnemann Medical College, Philadelphia, Philadelphia County.

DAVID L. LAWRENCE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

Whereupon,

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camel,	Kessler,	Murray,	Stiefel,
Chapman,	Koprivier, Jr.	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Lane,	Ripp,	Wade,
Donolow,	Madigan,	Rooney,	Wagner,
Ehrgood,	Mahady,	Ruth,	Walker,
Elliott,	Mallery,	Sarraf,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,
Hays,			

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION ARISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1179, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" including the Penn-

sylvania Air National Guard with the provisions of this act.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1508, entitled:

An Act transferring the moneys of the state school fund to the general fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Superintendent of Public Instruction and the Secretary of Labor and Industry providing for future escheated estates making certain appropriations and repealing certain sections of the Public School Code of 1949.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1894, entitled:

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2266, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," changing the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2303, entitled:

An Act amending the act of July 19, 1957 (Appropriations Acts page 60), entitled "General Appropriation Act of 1957," including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60), entitled 'An act to provide for the ordinary expenses of the

Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1957 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1957' by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-nine" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

Mr. KELLER. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KELLER, from the Committee on Insurance, reported as amended, Senate Bill No. 1066, entitled:

Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed, and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 1117, entitled:

An Act reenacting and amending section 810, act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land for the use of certain state teachers colleges, and making appropriations," authorizing the acquisition of such tracts of land by eminent domain proceedings or otherwise, and increasing the appropriation for one tract.

CALENDAR

THIRD READING CALENDAR

REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and con-

sideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Berger,	Kessler,	Pechan,	Stiefel,
Camel,	Koprivier, Jr.,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Mahady,	Rooney,	Wade,
Donolow,	Mallery,	Ruth,	Wagner,
Ehrgood,	McCreesh,	Sarra,	Walker,
Fleming,	McGinnis,	Scott,	Watkins,
Harney,	McMenamin,	Seyler,	Weiner,
Hays,	Miller,	Shafer,	Whalley,
Kalman,	Mullin,	Silvert,	Wolfe,
Keller,	Murray,		

NAYS—5

Blass,	Kromer,	Madigan,	Stevenson,
Chapman,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Berger,	Kessler,	Murray,	Silvert,
Camel,	Koprivier, Jr.,	Pechan,	Stiefel,
Confair,	Lane,	Propert,	Taylor,
DiSilvestro,	Mahady,	Ripp,	Van Sant,
Donolow,	Mallery,	Rooney,	Wade,
Ehrgood,	McCreesh,	Ruth,	Wagner,
Fleming,	McGinnis,	Sarra,	Walker,
Harney,	McMenamin,	Scott,	Watkins,
Kalman,	Miller,	Seyler,	Weiner,
Keller,	Mullin,	Shafer,	Whalley,
			Wolfe,

NAYS—6

Blass,	Hays,	Madigan,	Stevenson,
Chapman,	Kromer,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Berger,	Keller,	Murray,	Silvert,
Camel,	Kessler,	Pechan,	Stiefel,
Confair,	Koprivier, Jr.,	Propert,	Taylor,
DiSilvestro,	Lane,	Ripp,	Van Sant,
Donolow,	Mahady,	Rooney,	Wade,
Ehrgood,	McCreesh,	Ruth,	Wagner,
Fleming,	McGinnis,	Sarra,	Walker,
Harney,	McMenamin,	Scott,	Watkins,
Hays,	Miller,	Seyler,	Weiner,
Kalman,	Mullin,	Shafer,	Whalley,
			Wolfe,

NAYS—6

Blass,	Kromer,	Mallery,	Stevenson,
Chapman,	Madigan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring the erection of certain warning signs on State Highways.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Chapman,	Kessler,	Murray,	Stiefel,
Confair,	Koprivier, Jr.,	Pechan,	Taylor,
DiSilvestro,	Kromer,	Propert,	Van Sant,
Donolow,	Madigan,	Ripp,	Wade,
Ehrgood,	Mahady,	Rooney,	Wagner,
Elliott,	Mallery,	Ruth,	Walker,
Flack,	McCreesh,	Sarra,	Watkins,
Fleming,	McGinnis,	Scott,	Weiner,
Harney,	McMenamin,	Seyler,	Whalley,
		Shafer,	Wolfe,

NAYS—3

Camel,	Hays,	Lane,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 540, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the reversion of territory upon abolition of an independent school district.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—49

Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Stiefel,
Chapman,	Koprivier, Jr.,	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Lane,	Ripp,	Wade,
Donolow,	Madigan,	Rooney,	Wagner,
Ehrgood,	Mahady,	Ruth,	Walker,
Elliott,	Mallery,	Sarra,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,
Hays,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 717, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Berger,	Fleming,	McMenamin,	Stevenson,
Blass,	Kalman,	Harney,	Stiefel,
Camiel,	Keller,	Mullin,	Taylor,
Chapman,	Kessler,	Pechan,	Van Sant,
Confair,	Koprivier, Jr.,	Propert,	Wade,
DiSilvestro,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
Ehrgood,	Madigan,	Ruth,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Shafer,	Whalley,
			Wolfe,

NAYS—8

Hays,	McGinnis,	Murray,	Seyler,
Mahady,	Miller,	Sarra,	Silvert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 752, Printer's No. 433;

Senate Bill No. 853, Printer's No. 1464;

Senate Bill No. 899, Printer's No. 1055; and

Senate Bill No. 1036, Printer's No. 1340.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Sec. 307), page 7, line 7 by striking out "thirty-seven" and inserting: "thirty-eight"; Amend Section 6, page 18, lines 4 and 5 by striking out "JANUARY 1, 1960" and inserting in lieu thereof: "DECEMBER 1, 1959."

On the question,

Will the Senate agree to the amendments?

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1059, Printer's No. 1535, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1136, Printer's No. 1373, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1198, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camel,	Kessler,	Murray,	Stiefel,
Chapman,	Koprivier, Jr.	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Lane,	Ripp,	Wade,
Donolow,	Madigan,	Rooney,	Wagner,
Ehrgood,	Mahady,	Ruth,	Walker,
Elliott,	Mallery,	Sarra,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,
Hays,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1205, Printer's No. 1484, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Berger,	Hays,	Miller,	Silvert,
Blass,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,

Chapman,	Kessler,	Pechan,	Taylor,
Confair,	Koprivier, Jr.,	Propert,	Van Sant,
DiSilvestro,	Kromer,	Ripp,	Wade,
Donolow,	Lane,	Rooney,	Wagner,
Ehrgood,	Madigan,	Ruth,	Walker,
Elliott,	Mallery,	Sarra,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2021, Printer's No. 1778, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this Commonwealth" increasing the compensation of certain coroner's jurors.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SILVERT. Mr. President, I would like to know how I am recorded as voting on this bill.

The PRESIDENT. You are recorded as voting "aye."

Mr. SILVERT. Mr. President, my vote was "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Berger,	Fleming,	McCreesh,	Shafer,
Blass,	Harney,	McGinnis,	Stevenson,
Camel,	Kalman,	McMenamin,	Stiefel,
Chapman,	Keller,	Mullin,	Taylor,
Confair,	Kessler,	Pechan,	Van Sant,
DiSilvestro,	Koprivier, Jr.,	Propert,	Wade,
Donolow,	Kromer,	Ripp,	Wagner,
Ehrgood,	Lane,	Rooney,	Walker,
Elliott,	Madigan,	Ruth,	Watkins,
Flack,	Mallery,	Sarra,	Whalley,
		Scott,	Wolfe,

NAYS—7

Hays,	Miller,	Seyler,	Weiner,
Mahady,	Murray,	Silvert,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

And said bill having been read at length the third time.
On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, line 1, by inserting after "bien-nium": "and executive authorization made according to law."

On the question,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, this amendment, as offered, restores some language to the bill which had been deleted at least once, restored at least once and deleted again. Therefore, Mr. President, I would request my colleagues to vote "no" on the amendment.

Mr. WEINER. Mr. President, the purpose of amending this bill back to its original form, as it came from the House, is that this bill is merely an expression of or policy by the government whereby \$5,000,000 in excess of revenues received by the Commonwealth will be used to pay off bonded indebtedness.

What has been removed is the "executive authorization made according to law." These words were stricken out and the hands of the Governor are tied so that he cannot use this money.

If I were to be assured by this Body, and assured in writing, that we could be completely dependent that there would be no crisis, or that there would not be any kind of a problem arise or any other kind of difficulties that are envisioned by our Constitution so that the Executive hands are kept untied, I would say that I would be in favor of this bill the way it is today. However, as long as no one can guarantee that type of a situation, I cannot see how we can tie the hands of the Executive in this manner.

It is for that reason that I am asking my colleagues to vote for this amendment so that we can restore this language in here to the way the bill read when it came from the House.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SEYLER and Mr. MAHADY, and were as follows, viz:

YEAS—21

Camel,	Lane,	Miller,	Ruth,
DiSilvestro,	Mahady,	Mullin,	Sarraf,
Donolow,	McCreesh,	Murray,	Seyler,

Hays,
Kalman,

McGinnis,
McMenamin,

Ripp,
Rooney,

Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,

Mallery,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Berger,
Blass,
Camel,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,
Mallery,

McGinnis,
Pechan,
Propert,
Scott,
Shafer,
Stevenson,
Taylor,
Van Sant,

Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,

NAYS—14

Donolow,
Hays,
Lane,
Mahady,

McCreesh,
Miller,
Murray,
Ripp,

Rooney,
Ruth,
Sarraf,
Seyler,

Silvert,
Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

Then Senate proceeded to the third reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2365, entitled:

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith"

providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Berger,	Kalman,	Murray,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camiel,	Kessler,	Propert,	Wade,
Chapman,	Koprivier, Jr.,	Ripp,	Wagner,
Confair,	Kromer,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Fleming,	McMenamin,	Silvert,	
Harney,	Miller,	Stevenson,	
Hays,	Mullin,	Stiefel,	

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printer's No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002; and
Senate Bill No. 1194, Printer's No. 1457.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 79;
House Bill No. 867, Printer's No. 1694;
Senate Bill No. 932, Printer's No. 1095;
House Bill No. 998, Printer's No. 1673; and
Senate Bill No. 1017, Printer's No. 1198.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and con-

sideration of House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to boarding houses for children providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" redefining "boarding houses for infants."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1121, Printer's No. 1205;
House Bill No. 1122, Printer's No. 1235;
House Bill No. 1380, Printer's No. 1810;
House Bill No. 1384, Printer's No. 1756;
House Bill No. 1443, Printer's No. 573;
House Bill No. 1639, Printer's No. 1396;
House Bill No. 1640, Printer's No. 1397;
House Bill No. 1646, Printer's No. 1486;
House Bill No. 1648, Printer's No. 1210; and
House Bill No. 1789, Printer's No. 847.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1942, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the renewal of provisional college certificates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1977, Printer's No. 1783;
House Bill No. 2033, Printer's No. 1675; and
House Bill No. 2361, Printer's No. 1780.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land for the use of certain state teachers colleges, and making appropriations," authoriz-

ing the acquisition of such tracts of land by eminent domain proceedings or otherwise, and increasing the appropriation for one tract.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed, and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1117, entitled:

An Act reenacting and amending section 810, act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1508, entitled:

An Act transferring the moneys of the state school fund to the general fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Superintendent of Public Instruction and the Secretary of Labor and Industry providing for future escheated estates making certain appropriations and repealing certain sections of the Public School Code of 1949.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1894, entitled:

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2303, entitled:

An Act amending the act of July 19, 1957 (Appropriation Acts page 60) entitled "General Appropriation Act of 1957," including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1957 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1957' by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-nine" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2353

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 1213, Printer's No. 1075;

House Bill No. 2335, Printer's No. 1505; and

House Bill No. 2353, Printer's No. 1808.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, October 19, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:05 o'clock, p.m., Eastern Standard Time, until Monday, October 19, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, October 15, 1959.

The House met at 9:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, Whose eternal Spirit ever watches over and guides each one of us throughout life, we turn to Thee in this morning hour keenly aware of the blessings which have been ours and the thankful spirit they have engendered within us. We humbly pray that Thou wilt enable us to show our gratitude by the very deeds we bring to maturity; we hope that we may ever look to Thee from whence cometh our help and our strength; and we trust that the lives we live may continually point the way for others to find Thy way and the blessed peace which Thou hast to give: through Jesus Christ, Thy Dear Son our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, October 14, 1959, will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 786.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" providing the ratio of supervisors to teachers when the salaries of supervisors are included in budgets subject to approval by the Department of Public Instruction.

Referred to the Committee on Rules.

SENATE BILL No. 1115.

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

Referred to the Committee on Rules.

SENATE BILL No. 1181.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

Referred to the Committee on Rules.

SENATE BILL No. 1200.

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

Referred to the Committee on Rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutionalized children in counties of the second class the cost thereof to be paid by the Commonwealth.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 723, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" by removing certain restrictions on the application of the act.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries * * * and making an appropriation therefor authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class * * * extending the provisions of the act to include certain per diem employes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1799, entitled:

An Act amending "The Pennsylvania Workmen's Com-

pensation Act" approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1975, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Board of Examiners of Public Real Estate Valuers as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2029, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for tuition payments to the State by pupils attending State Teachers' College training schools.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2354, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and for the collection of such assessments claims and liens.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159) further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds and declaring the effect and validating certain prior transactions for the borrowing of money.

And said bill having been read at length the second

time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County * * *" changing the location at which the bridge is to be erected.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SAKULSKY offered the following amendments:

Amend Sec. 1 (Title), page 2, line 9 by striking out the brackets before and after "high level."

Amend Sec. 1 (Title), page 2, line 10 by inserting a bracket after "[in" and inserting immediately thereafter: "near".

Amend Sec. 1 (Title), page 2, lines 10 to 16 by striking out "[between dock" in line 10, all of lines 11 to 15 and "township" in line 16.

Amend Sec. 1 (Sec. 1), page 3, line 2 by striking out the brackets before and after "high level."

Amend Sec. 1 (Sec. 1), page 3, line 3 by inserting a bracket after "[in" and inserting immediately thereafter: "near".

Amend Sec. 1 (Sec. 1), page 3, lines 3 and 4 by striking out "[between Dock Hollow in South Buffalo Township."

Amend Sec. 1 (Sec. 1), page 3, line 5 by striking out the bracket before "replacing."

Amend Sec. 1 (Sec. 1), page 3, lines 5 to 9 by striking out "[and Kiskiminetas Junc-" in line 5, all of lines 6 to 8 and Township Armstrong County in line 6.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2409, entitled:

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township Fayette County to the government of the United States for use as a National Park and with certain reservations ceding jurisdiction over such lands.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2410, entitled:

An Act amending the act of May 28, 1931 (P. L. 202) entitled "An Act for the licensing and regulation of motor boats operated or navigated upon any public stream * * * non-tidal waters of any river within the Commonwealth * * *" providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued and exempting concert music halls maintained by public or private charities from taxation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2413, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for the issuance of temporary registration plates and markers by aldermen justices of the peace and magistrates.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2414, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for payment to posts of the Italian-American World War Veterans of the United States Incorporated.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law" approved May 28, 1937 (P. L. 955) providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2419, entitled:

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) conferring rights on certain provisional employees and war-duration appointees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2420, entitled:

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019) changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer"

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

RECESS

Mr. TOMPKINS. Mr. Speaker, we would like to have a 45 minute recess to caucus on concurrences on third reading bills.

The SPEAKER. The Chair hears no objection. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, the Democratic Members of the House will not caucus at this time. We have 40 bills cleared and agreed to from yesterday that we would like to act on, and only those bills in that list, plus House Bill 2170, the air pollution bill, the General State Authority increased borrowing power bill, House Bill 2386, and the concurrences and non-concurrences that were acted on yesterday. So the Democratic Members of the House will not caucus. We will return at whatever time we agree to.

Mr. TOMPKINS. Make it 11:30, Mr. Speaker. Will the Republican Members bring their calendars with them, please?

RECESS

The SPEAKER. Without objection, the Chair declares a recess of forty-five minutes.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 824.

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" further providing for the taking of exceptions to ruling of the trial judge.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 14, by striking out after the word "judge" the words "made during the presentation of evidence."

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Anderson,	Fulmer,	McCann,	Sakulsky,
Arlene,	Gailey,	McDonald,	Scarcelli,
Ashton,	Gallagher,	McInroy,	Schaaf,
Balthaser,	Garlock,	McKeever,	Schuster,
Bell,	Gelfand,	McLaughlin,	Schwartz,
Blair,	George,	Machmer,	Seltzer,
Bonner,	Goldstein,	Magee,	Sherman,
Boris,	Goodrich,	Mahan,	Shupnik,
Bower,	Gramlich,	Markley,	Silverman,
Bowman,	Guthrie,	Maxwell,	Snare,
Brenninger,	Hamilton,	Meholchick,	Stank,
Breth,	Heavey,	Merry,	Steckel,
Buchanan,	Henzel,	Mihm,	Stewart,
Burns,	Hocker,	Miller, B. Z.,	Stimmel,
Capitolo,	Holliday,	Miller, H. G.,	Stone,
Cianfrani,	Holt,	Mills,	Stoner,
Cioffi,	Horst,	Muldowney,	Sullivan,
Clarke,	Irviss,	Munley,	Taylor,
Comer,	Isaacs,	Murphy, P. J.,	Tompkins,
Crossin,	Jenkins,	Murray, H. P.,	Trusio,
Curwood,	Jim,	Murray, J. J.,	Varallo,
Davis,	Johnson, R.,	Musto,	Verona,
Dengler,	Jones, F. R.,	Naugle,	Wall,
Devlin,	Kamyk,	Needham,	Walsh,
Donahue,	Kee,	Nelson,	Wargo,
Donaldson,	Keiser,	O'Dell,	Welsh,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wescott,
Down,	Kessler,	Odlorisio,	Whittaker,
Edwards,	Kooker,	Ogilvie,	Williams, A. D., Jr.,
Elberg,	Korns,	Parlante,	Williams, E. S.,
Eshback,	Kovolenko,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Light,	Pursley,	Yatron,
Floyd,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Riley,	Andrews,
Frank,	Lutty,	Rovansek,	Speaker
Frascella,	McCandless,	Royer,	

NAYS—0

NOT VOTING—42.

Agnew,	Gibb,	Moran,	Snider,
Auker,	Heffner,	Mullen,	Stevens,
Barton,	Helm,	Murphy, A. J., Jr.,	Strausser,
Boles,	Johnson, A. W.,	Murray, P. G.,	Stroup,
Branca,	Jones, T. H. W.,	O'Donnell, J. P.,	Thompson,
Brown,	Jump,	O'Neil,	Ujobai,
Capano,	Knecht,	Perry, P. E.,	Varnier,
Cooper,	Kornick,	Prendergast,	Weidner,
Dennis,	Limper,	Renwick,	Wheeler,
Dennison,	McCormack,	Rigby,	
Flynn,	Monroe,	Rudisill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 835.

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of Health of the Commonwealth of Pennsylvania and prescribing penalties.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 2, by striking out after the second word "of" the word "State" and inserting in lieu thereof the word "Health"; Section 2, page 2, line 10, by striking out after the word "of" the word "State" and inserting in lieu thereof the word "Health"; line 16, by striking out after the word "treasury" the words "for the use of the Department of State"; Section 3, page 2, line 17, by striking out after the word "of" the word "State" and inserting in lieu thereof the word "Health"; line 18, by striking out after the word "of" the word "State" and inserting in lieu thereof the word "Health"; Section 4, page 3, line 17, at the beginning of the line by striking out the word "State" and inserting in lieu thereof the word "Health."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

Anderson,	Gelfand,	Machmer,	Schaaf,
Arlene,	George,	Magee,	Schuster,
Balthaser,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Guthrie,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snare,
Breth,	Henzel,	Miller, B. Z.,	Stank,
Buchanan,	Hocker,	Miller, H. G.,	Steckel,
Burns,	Holliday,	Mills,	Stewart,
Capitolo,	Holt,	Muldowney,	Stimmel,
Cianfrani,	Horst,	Munley,	Stone,
Cioffi,	Irviss,	Murphy, P. J.,	Stoner,
Clarke,	Jenkins,	Murray, H. P.,	Sullivan,
Comer,	Jim,	Murray, J. J.,	Taylor,
Crossin,	Johnson, R.,	Musto,	Tompkins,
Curwood,	Jones, F. R.,	Naugle,	Trusio,
Devlin,	Kamyk,	Needham,	Varallo,
Donahue,	Kee,	Nelson,	Verona,
Donaldson,	Kessler,	O'Dell,	Wall,
Dougherty,	Kooker,	O'Donnell, J. A.,	Walsh,
Down,	Korns,	Ogilvie,	Wargo,
Edwards,	Kovolenko,	O'Neil,	Welsh,
Elberg,	Kubitsky,	Parlante,	Wescott,
Eshback,	Lamb,	Pashley,	Whittaker,
Eshleman,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lee, K. B.,	Petrosky,	Williams, E. S.,
Farabaugh,	Leonard,	Polaski,	Willard,
Filo,	Light,	Polen,	Willaredt,
Fineman,	Lopresti,	Price,	Wilt,
Floyd,	Luigard,	Pursley,	Wood,
Foerster,	Lutty,	Reibman,	Worley,
Fox,	McCandless,	Reidenbach,	Wynd,
Frank,	McCann,	Riley,	Yatron,
Frascella,	McDonald,	Rovansek,	Yetter,
Gailey,	McInroy,	Royer,	Zimmerman,
Gallagher,	McKeever,	Sakulsky,	Andrews,
Garlock,	McLaughlin,	Scarcelli,	Speaker

NAYS—12

Ashton,	Davis,	Fulmer,	Kernaghan,
Bell,	Dengler,	Isaacs,	Lippincott,
Bowman,	Fetterolf,	Keiser,	Odlorisio,

NOT VOTING—41

Agnew,	Flynn,	McCormack,	Rigby,
Auker,	Gibb,	Monroe,	Rudisill,
Barton,	Heffner,	Moran,	Snider,
Boies,	Helm,	Mullen,	Stevens,
Branca,	Johnson, A. W.,	Murphy, A.J., Jr.,	Strausser,
Brown,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Capano,	Jump,	O'Donnell, J. P.,	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobal,
Dennis,	Kornick,	Prendergast,	Varner,
Dennison,	Limper,	Renwick,	Weldner,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1861.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring the building known as Pennhurst Annex No 1 located at Samuel G. Dixon State Hospital at Mount Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 9, by inserting after the word "transferring" the following:

The building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mount Alto and Section 3, page 9, by inserting after line 12 the following:

Any person who is an inmate of the institution and is suffering from silicosis or tuberculosis shall not be discharged from the institution unless and until he has been certified as cured of either or both diseases or voluntarily

leaves the institution a voluntary withdrawal shall be evidenced by an instrument in writing

No new patients suffering from silicosis or tuberculosis shall be admitted to this institution after the effective date of this act

Page 10, by inserting after line 6 of the following:

Section 4 The operation control and management of the building known as Pennhurst Annex No. 1 located on the premises of the Samuel G. Dixon State Hospital at Mont Alto and the equipment fixtures furnishings and personal property therein are hereby transferred from the Department of Health to the Department of Public Welfare as a part of Pennhurst State Hospital utilities including light heat water sewage facilities and necessary maintenance shall be supplied by the Department of Health at the expense of the Department of Public Welfare

Line 19, by striking out after the word "Section" the numeral "4" and inserting in lieu thereof the numeral "5."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2265.

An Act amending the act of June 2, 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" creating and imposing duties on mine safety committees.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by inserting after the word "boss" in line 12, the following: "or in the absence of such officials a designated qualified agent or agents of the employer"; line 16, by striking out after the word "formed" the words "in each colliery."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McDonald,	Sakulsky,
Ashton,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Bonner,	Goldstein,	Magee,	Seltzer,
Boris,	Goodrich,	Mahan,	Sherman,

Bower,	Gramlich,	Markley,	Shupnik,
Bowman,	Guthrie,	Maxwell,	Silverman,
Brenninger,	Hamilton,	Meholchick,	Snare,
Breth,	Heavey,	Merry,	Stank,
Buchanan,	Henzel,	Mihm,	Steckel,
Burns,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Keiser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neil,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Luigard,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Riley,	Andrews,
Frascella,	McCandless,	Rovansek,	Speaker

NAYS—0

NOT VOTING—41

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Heffner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boies,	Johnson, A. W.,	Murphy, A.J., Jr.,	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.,	Thompson,
Capano,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	Limper,	Renwick,	Weidner,
Dennison,	McCormack,	Rigby,	Wheeler,
Flynn,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2268.

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 2, by inserting after the word "mining" the following: "in the opinion and in the discretion of the department"; line 4, by inserting after the word "of" the word "such"; line 6, by inserting after the word "water" the following: sufficiently large to con-

stitute a hazard to mining in the opinion and the discretion of the department.

Amend Section 3, page 3, by striking out after the word "cover" the following: the plan exceeds the maximum chamber widths and centers and minimum pillar widths given in the following table:

Thickness of Bed	Chamber Centers	Maximum Chamber Widths	Minimum Pillar Widths
2 ft. 5 ft.	50 ft.	30 ft.	20 ft.
5 ft. 8 ft.	54 ft.	28 ft.	26 ft.
8 ft. 12 ft.	54 ft.	26 ft.	23 ft.
12 ft. plus	54 ft.	24 ft.	30 ft.

Amend Section 4, page 3, by striking out after the word "Recovery" the words "Notwithstanding the minimum requirements of section 3 no" and inserting in lieu thereof the word "no".

Amend Section 8, page 6, line 2, by striking out after the word "the" where it appears the second time the word "colliery" and inserting in lieu thereof the word "mine".

Amend Section 9, page 6, line 11, by striking out after the word "the" the words "colliery premises" and inserting in lieu thereof the word "mine".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2271.

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such persons.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 6, by inserting after the word "cases" in line 5, the following: "and empowering the court to make finding and decree the death of such persons".

Amend Section 1, page 2, line 14 by inserting after the word "mine" the following: and further empowering the court to make a finding and decree that the person enclosed entombed or buried is legally dead together with such findings of fact including the date of death as is necessary or proper.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McDonald,	Sakulsky,
Ashton,	Galley,	McInroy,	Scarceill,
Balthaser,	Gallagher,	McKeever,	Schaaf,
Bell,	Garlock,	McLaughlin,	Schuster,
Blair,	Gelfand,	Machmer,	Schwartz,
Bonner,	George,	Magee,	Seltzer,
Boris,	Goldstein,	Mahan,	Sherman,
Bower,	Goodrich,	Markley,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Brenninger,	Guthrie,	Meholchick,	Snare,
Breth,	Hamilton,	Merry,	Stank,
Buchanan,	Heavey,	Mihm,	Steckel,
Burns,	Henzel,	Miller, B. Z.,	Stewart,
Capano,	Hocker,	Miller, H. G.,	Stimmel,
Capitolo,	Holliday,	Mills,	Stone,
Cianfrani,	Holt,	Muldowney,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irvig,	Murphy, P. J.,	Taylor,
Comer,	Isaacs,	Murray, H. P.	Tompkins,
Crossin,	Jenkins,	Murray, J. J.,	Trusio,
Curwood,	Jim,	Musto,	Varallo,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Kelser,	O'Donnell, J. A.,	Welsh,
Dougherty,	Kernaghan,	Odorisio,	Wescott,
Down,	Kessler,	Ogilvie,	Whittaker,
Edwards,	Kooker,	O'Neill,	Williams, A. D., Jr.,
Eilberg,	Korns,	Parlante,	Williams, E. S.,
Eshback,	Kovolenko,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Light,	Pursley,	Yatron,
Floyd,	Lippincott,	Reibman,	Yetter,
Flynn,	Lopresti,	Reidenbach,	Zimmerman,
Foerster,	Lulgard,	Renwick,	Andrews,
Fox,	Lutty,	Riley,	Speaker
Frank,	McCandless,	Rovansek,	

NAYS—0

NOT VOTING—38

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	Limper,	Rigby,	Weldner,
Dennison,	McCormack,	Rudisill,	Wheeler,
Gibb,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

NITSCHMANN JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the Hall of the House of an impressive delegation of the ninth grade of the Nitschmann Junior High School of Bethlehem, Pennsylvania. They are the guests of the lady from Lehigh, Mrs. Markley and the gentleman for Lehigh, Mr. Steckel.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1572 FROM THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.
October 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1572, Printer's No. 1299, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. WALSH. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. DEVLIN. Mr. Speaker, I second the motion.

THE SPEAKER. How did the gentleman from Allegheny, Mr. Walsh vote on the final passage of the bill?

Mr. WALSH. Mr. President, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Devlin vote on the final passage of this bill?

Mr. DEVLIN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. WALSH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WALSH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1712), page 10, line 11 by inserting after "1953": "but prior to the effective date of this act."

Amend Sec. 1 Sec. 1712), page 10, line 11 by striking out "REMAIN" and inserting: "have remained."

Amend Sec. 1 Sec. 1712), page 10, line 13 by striking out "MAKE": and inserting: "have made."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreeable to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 296 and 1015

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.
October 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 296, Printer's No. 330, entitled "An Act amending the act of May 22, 1933 (P. L. 851) entitled 'An act fixing the pay and mileage of jurors and witnesses' increasing the compensation of jurors."

DAVID L. LAWRENCE.

October 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1015, Printer's No. 1635, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties."

DAVID L. LAWRENCE.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. WEIDNER for today.

Mr. Tompkins for Mr. KNECHT for today.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

Mr. McCANN. Mr. SPEAKER, I call up the report of the Committee of Conference on House Bill No. 163.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 163, entitled:

"An Act amending the act of May 28, 1937 (P. L. 1053) entitled 'An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises * * *'" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases"

Respectfully submit the following bill as our report:

PAUL L. WAGNER,

THOMAS A. EHRGOOD,

THOMAS J. KALMAN,

(Committee on the part of the Senate).

AUSTIN J. MURPHY,

K. LEROY IRVIS,

ALBERT W. JOHNSON,

(Committee on the part of the House of Representatives),

An Act amending the act of May 28 1937 (P L 1053)

entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchise defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and

certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulations of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (6) and (7) of section 2 act of May 28 1937 (P L 1053) known as the "Public Utility Law" amended May 10 1957 (P L 129) are amended to read

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicles so sold or (b) transportation of school children for school purposes or to and from school sponsored extra curricular activities whether as participants or spectators together with chaperons who might accompany them as designated by the board of school directors not exceeding five in number or between their homes and Sunday school in any motor vehicle owned by [any] the school district private school or parochial school or transportation of school children [for school purposes] between their homes and school or to and from school sponsored extra curricular or educational activities whether as participants or spectators together with chaperons who might accompany them as designated by the board of school directors not exceeding five in number if the person performing the extra curricular transportation has a contract for the transportation of school children between their homes and school with the private

or parochial school with the school district or jointure in which the school is located or with a school district that is a member of a jointure in which the school is located if the jointure has no contracts with other persons for the transportation of students between their homes and school and if the person maintains a copy of all contracts in the vehicle at all times or children between their homes and Sunday school in any motor vehicle operated under contract with [any] the school district private school or parochial school or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) transportation of pulpwood or chemical wood from woodlots (h) transportation by towing of wrecked or disabled motor vehicles or (i) any person or corporation who or which furnishes transportation for any injured ill or dead person

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children for school purposes or to and from school sponsored extra curricular activities whether as participants or spectators together with chaperons who might accompany them as designated by the board of school districts not exceeding five in number or between their homes and Sunday school in any motor vehicle owned by [any] the school district private school or parochial school [of] or the transportation of school children [for school purposes] between their homes and school or to and from school sponsored extra curricular or educational activities whether as participants or spectators together with chaperons who might accompany them as designated by the board of school directors not exceeding five in number if the person performing the extra curricular transportation has a contract for the transportation of school children between their homes and school with the private or parochial school with the school district or jointure in which the school is located or with a school district that is a member of a jointure in which the school is located if the jointure has no contracts with other persons for the transportation of students between their homes and school and if the person maintains a copy of all contracts in the vehicle at all times or children between their homes and Sunday school in any motor vehicle operated under contract with [any] the school district private school or parochial school or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of

ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) transportation of pulpwood or chemical wood from woodlots (h) transportation by towing of wrecked or disabled motor vehicles or (i) any person or corporation who or which furnishes transportation for any injured ill or dead person

* * *

Section 2 This act shall take effect immediately
On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McDonald,	Sakulsky,
Ashton,	Galley,	McInroy,	Scarcelli,
Balthaser,	Gallagher,	McKeever,	Schaaf,
Bell,	Garlock,	McLaughlin,	Schuster,
Blair,	Gelfand,	Machmer,	Schwartz,
Bonner,	George,	Magee,	Seltzer,
Boris,	Goldstein,	Mahan,	Sherman,
Bower,	Goodrich,	Markley,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Brenninger,	Guthrie,	Meholchick,	Snare,
Breth,	Hamilton,	Merry,	Stank,
Buchanan,	Heavey,	Mihm,	Steckel,
Burns,	Henzel,	Miller, B. Z.,	Stewart,
Capano,	Hocker,	Miller, H. G.,	Stimmel,
Capitolo,	Holliday,	Mills,	Stone,
Cianfrani,	Holt,	Muldowney,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irvis,	Murphy, P. J.,	Taylor,
Comer,	Isaacs,	Murray, H. P.,	Tompkins,
Crossin,	Jenkins,	Murray, J. J.,	Trusio,
Curwood,	Jim,	Musto,	Varallo,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Keiser,	O'Donnell, J. A.,	Welsh,
Dougherty,	Kernaghan,	Odorisio,	Wescott,
Down,	Kessler,	Ogilvie,	Whittaker,
Edwards,	Kooker,	O'Neil,	Williams, A. D., Jr.,
Eilberg,	Korns,	Parlante,	Williams, E. S.,
Eshback,	Kovolenko,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Light,	Pursley,	Yatron,
Floyd,	Lippincott,	Reibman,	Yetter,
Flynn,	Lopresti,	Reidenbach,	Zimmerman,
Foerster,	Luigard,	Renwick,	Andrews,
Fox,	Lutty,	Riley,	Speaker
Frank,	McCandless,	Rovansek,	

NAYS—0

NOT VOTING—38

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boies,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobai,
Cooper,	Kornick,	Prendergast,	Varnar,
Dennis,	Limper,	Rigby,	Weidner,
Dennison,	McCormack,	Rudisill,	Wheeler,
Gibb,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2394 on page 13 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the provisions relating to the reading of the Bible in public schools.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 2394, Printer's No. 1722, is a change in the Public School Code of 1949, dealing with the section relating to reading of the Bible.

The old law provided that the Bible was to be read in the schools of the Commonwealth of Pennsylvania, and any teacher who failed to do this could be dismissed. This is our answer to the situation in which we believe we stand, committed to those who desire to have the Bible read but feel that no teacher should be dismissed under the provisions of the Act. We feel this has a place in our public school system, for those who desire to have the Bible read. We believe this legislation should stand its course of tests, that it may have an opportunity to present our views and the views of the people we represent that the reading of the Bible to those who desire to have that is certainly a part of the American way of life.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McDonald,	Sakulsky,
Ashton,	Galley,	McInroy,	Scarcelli,
Balthaser,	Gallagher,	McKeever,	SchAAF,
Bell,	Garlock,	McLaughlin,	Schuster,
Blair,	Gelfand,	Machmer,	Schwartz,
Bonner,	George,	Magee,	Seltzer,
Boris,	Goldstein,	Mahan,	Sherman,
Bower,	Goodrich,	Markley,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Brenninger,	Guthrie,	Meholchick,	Snare,
Breth,	Hamilton,	Merry,	Stank,
Buchanan,	Heavey,	Mihm,	Steckel,
Burns,	Henzel,	Miller, B. Z.,	Stewart,
Capano,	Hocker,	Miller, H. G.,	Stimmel,
Capitolo,	Holliday,	Mills,	Stone,
Cianfrani,	Holt,	Muldowney,	Stoner,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irviss,	Murphy, P. J.,	Taylor,
Comer,	Isaacs,	Murray, H. P.,	Tompkins,
Crossin,	Jenkins,	Murray, J. J.,	Trusio,
Curwood,	Jim,	Musto,	Varallo,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Keiser,	O'Donnell, J. A.,	Welsh,
Dougherty,	Kernaghan,	Odoriso,	Wescott,
Down,	Kessler,	Ogilvie,	Whittaker,
Edwards,	Kooker,	O'Neil,	Williams, A. D., Jr.,
Eilberg,	Korns,	Parlante,	Williams, E. S.,
Eshback,	Kovolenko,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Flo,	Leonard,	Price,	Wynd,

Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,

Light,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,

Pursley,
Reibman,
Reidenbach,
Renwick,
Riley,
Rovanseck,

Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—38

Agnew,
Auker,
Barton,
Boles,
Branca,
Brown,
Cooper,
Dennis,
Dennison,
Gibb,

Heffner,
Helm,
Johnson, A. W.,
Jones, T. H. W.,
Jump,
Knecht,
Kornick,
Limper,
McCormack,
Monroe,

Moran,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Donnell, J. P.,
Perry, P. E.,
Prendergast,
Rigby,
Rudisill,

Snider,
Stevens,
Strausser,
Stroup,
Thompson,
Ujbal,
Varnier,
Weidner,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2400, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,
Arlene,
Ashton,
Balthaser,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Floyd,
Flynn,

Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irviss,
Isaacs,
Jenkins,
Jim,
Johnson, R.,
Jones, F. R.,
Kamyk,
Kee,
Keiser,
Kernaghan,
Kessler,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Lippincott,
Lopresti,

McCann,
McDonald,
McInroy,
McKeever,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Muldowney,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
Odoriso,
Ogilvie,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Price,
Pursley,
Reibman,
Reidenbach,

Royer,
Sakulsky,
Scarcelli,
SchAAF,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Tompkins,
Trusio,
Varallo,
Verona,
Wall,
Walsh,
Wargo,
Welsh,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wilt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,

Foerster, Fox, Frank,	Luigard, Lutty, McCandless,	Renwick, Riley, Rovanseck,	Andrews, Speaker
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NAYS—0

NOT VOTING—38

Agnew, Auker, Barton, Boles, Branca, Brown, Cooper, Dennis, Dennison, Gibb,	Heffner, Helm, Johnson, A. W., Jones, T. H. W., Jump, Knecht, Kornick, Limper, McCormack, Monroe,	Moran, Mullen, Murphy, A. J., Jr. Murray, P. G., O'Donnell, J. P. Perry, P. E., Prendergast, Rigby, Rudisill,	Snider, Stevens, Strausser, Stroup, Thompson, Ujobai, Varner, Weidner, Wheeler,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) further defining the word "document."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Anderson, Arlene, Ashton, Balthaser, Bell, Blair, Bonner, Boris, Bower, Bowman, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Petrosky, Polaski, Polen, Reidman, Reidenbach, Price, Pursley, Renwick, Riley, Rovanseck,	Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Tompkins, Trusio, Varallo, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—1

Worley,

NOT VOTING—38

Agnew, Auker, Barton, Boles, Branca, Brown, Cooper, Dennis, Dennison, Gibb,	Heffner, Helm, Johnson, A. W., Jones, T. H. W., Jump, Knecht, Kornick, Limper, McCormack, Monroe,	Moran, Mullen, Murphy, A. J., Jr. Murray, P. G., O'Donnell, J. P. Perry, P. E., Prendergast, Rigby, Rudisill,	Snider, Stevens, Strausser, Stroup, Thompson, Ujobai, Varner, Weidner, Wheeler,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Anderson, Arlene, Ashton, Balthaser, Bell, Blair, Bonner, Boris, Bower, Bowman, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Petrosky, Polaski, Polen, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rovanseck, Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Tompkins, Trusio, Varallo, Verona, Wall, Walsh, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—1

Wargo,

NOT VOTING—38

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobai,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	Limper,	Rigby,	Weidner,
Dennison,	McCormack,	Rudisill,	Wheeler,
Gibb,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" providing for the appointment of special investigators.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Anderson,	Frascella,	McDonald,	Royer,
Arlene,	Fulmer,	McInroy,	Sakulsky,
Ashton,	Galley,	Machmer,	Scarcell,
Balthaser,	Gallagher,	Magee,	Schaa,
Bell,	Garlock,	McKeever,	Schuster,
Blair,	Gelfand,	McLaughlin,	Schwartz,
Bonner,	George,	Mahan,	Seltzer,
Boris,	Goldstein,	Markley,	Sherman,
Bower,	Goodrich,	Maxwell,	Shupnik,
Bowman,	Gramlich,	Meholchick,	Silverman,
Brenninger,	Guthrie,	Merry,	Snare,
Breth,	Hamilton,	Mihm,	Stank,
Buchanan,	Heavey,	Miller, B. Z.,	Steckel,
Burns,	Henzel,	Miller, H. G.,	Stewart,
Capano,	Holliday,	Mills,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Munley,	Stoner,
Cioffi,	Irvs,	Murphy, P. J.,	Sullivan,
Clarke,	Isaacs,	Murray, H. P.,	Taylor,
Comer,	Jenkins,	Murray, J. J.,	Tompkins,
Crossin,	Jim,	Musto,	Trusio,
Curwood,	Johnson, R.,	Naugle,	Varallo,
Davis,	Jones, F. R.,	Needham,	Verona,
Dengler,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kooker,	Ogilvie,	Wescott,
Down,	Kessler,	O'Neill,	Whittaker,
Edwards,	Korns,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Pashley,	Williams, E. S.,
Eshback,	Kubitsky,	Perry, H. H.,	Willard,
Eshleman,	Lamb,	Petrosky,	Willaredt,
Ewing,	Lee, A. M.,	Polaski,	Wilt,
Farabaugh,	Lee, K. B.,	Polen,	Wood,
Fetterolf,	Leonard,	Price,	Worley,
Filo,	Light,	Pursley,	Wynd,
Fineman,	Lippincott,	Reibman,	Yatron,
Floyd,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Luigard,	Renwick,	Zimmerman,
Foerster,	Lutty,	Riley,	Andrews,
Fox,	McCandless,	Rovansek,	
Frank,	McCann,		Speaker

NAYS—1

Hocker,

NOT VOTING—38

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobai,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	Limper,	Rigby,	Weidner,
Dennison,	McCormack,	Rudisill,	Wheeler,
Gibb,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 22, Printer's No. 22 and

Senate Bill No. 82, Printer's No. 82

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Anderson,	Frascella,	McCann,	Rovansek,
Arlene,	Fulmer,	McDonald,	Royer,
Ashton,	Galley,	McInroy,	Sakulsky,
Balthaser,	Gallagher,	McKeever,	Scarcell,
Bell,	Garlock,	McLaughlin,	Schaa,
Blair,	Gelfand,	Machmer,	Schuster,
Bonner,	George,	Magee,	Schwartz,
Boris,	Goldstein,	Mahan,	Seltzer,
Bower,	Goodrich,	Markley,	Sherman,
Bowman,	Gramlich,	Maxwell,	Shupnik,
Brenninger,	Guthrie,	Meholchick,	Silverman,
Breth,	Hamilton,	Merry,	Snare,
Buchanan,	Heavey,	Mihm,	Stank,
Burns,	Henzel,	Miller, B. Z.,	Steckel,
Capano,	Hocker,	Miller, H. G.,	Stewart,
Capitolo,	Holliday,	Mills,	Stimmel,
Cianfrani,	Holt,	Muldowney,	Stone,
Cioffi,	Horst,	Munley,	Stoner,
Clarke,	Irvs,	Murphy, P. J.,	Sullivan,
Comer,	Isaacs,	Murray, H. P.,	Taylor,
Crossin,	Jenkins,	Murray, J. J.,	Trusio,
Curwood,	Jim,	Musto,	Varallo,
Davis,	Johnson, R.,	Naugle,	Verona,
Dengler,	Jones, F. R.,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Dell,	Wargo,
Donaldson,	Kelser,	O'Donnell, J. A.,	Welsh,
Dougherty,	Kernaghan,	Odorisio,	Wescott,
Down,	Kessler,	Ogilvie,	Whittaker,
Edwards,	Kooker,	O'Neill,	Williams, A. D., Jr.,
Ellberg,	Korns,	Parlante,	Williams, E. S.,
Eshback,	Kovolenko,	Pashley,	Willard,
Eshleman,	Kubitsky,	Perry, H. H.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Light,	Pursley,	Yatron,

Floyd,
Flynn,
Foerster,
Fox,
Frank,

Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,

Reibman,
Reidenbach,
Renwick,
Riley,

Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—1

Tompkins,

NOT VOTING—38

Agnew,
Auker,
Barton,
Boles,
Branca,
Brown,
Cooper,
Dennis,
Dennison,
Gibb,

Heffner,
Helm,
Johnson, A. W.,
Jones, T. H. W.,
Jump,
Knecht,
Kornick,
Limper,
McCormack,
Monroe,

Moran,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Donnell, J. P.,
Perry, P. E.,
Fredergast,
Rigby,
Rudisill,

Snider,
Stevens,
Strausser,
Stroup,
Thompson,
Ujobal,
Varner,
Weidner,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection

Senate Bill No. 139, Printer's No. 1503 and

Senate Bill No. 145, Printer's No. 154

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123), entitled "An act to define and restrict the obligation of persons engaged or connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FINEMAN. Mr. Speaker, I briefly want to state my objections to this bill and to request the Members of the House to vote against it.

I see no valid reason for extending to television and radio the privilege they are seeking via the terms of this bill. I think we are all familiar with the fact that there is an area of privileged communication that we do extend to a lawyer in connection with his relationship with his client, to a doctor in connection with his relationship with his patient and perhaps a priest in connection with his relationship with his parishoner, but the theory behind the field of privileged communication certainly does not encompass what is intended to be done by the provisions of this bill.

When a person relays or conveys a confidential communication to his lawyer or to his priest, he may do it for a number of reasons. He may do it to seek some surcease from the difficulties or the problems that are plaguing him, and a confession will make him feel better about the subject he is confessing about. At any rate,

no matter what the reason is, he knows that when he conveys this information to his lawyer, to his doctor, or to his priest, it does not go beyond the ears and the mouth of the person to whom he is conveying it. In this particular situation we are giving a radio or TV station the right to refuse to disclose the source of information and are giving them the right to disseminate the information no matter how careless they may be in checking out the validity and the authority of the information that has been given to them.

Now, if, in fact, a person's reputation is damaged; if, in fact, a cloud is put over the life of a person by some reckless source that has given this information to be disseminated to a radio or TV station, then I cannot see any valid reason for protecting that source. It is not sufficient justification to say that the radio or TV station itself may be sued, because once again the source may disclose it to somebody else. The person whose reputation is being harassed and damaged should have the right to go after the person who is providing the false information that is being disseminated. So, I ask the Members of this House to vote down this bill.

Mr. STECKEL. Mr. Speaker, will the gentleman from Philadelphia, Mr. Fineman, consent to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. STECKEL. Mr. Speaker, can the gentleman tell me whether or not the gentlemen of the Press now presently enjoy this very same privilege?

Mr. FINEMAN. They do.

Mr. STECKEL. That is all.

Mr. FINEMAN. But this is not dealing with the Press, I might add in further response. This is dealing with TV and radio.

Mr. STECKEL. I thank the gentleman.

This bill was promoted for the purpose of putting the news commentators and the news dispersal mediums of television and radio on the same plane as that of the printed newspaper.

Mr. BELL. Mr. Speaker, I beg to differ with the gentleman from Philadelphia, Mr. Fineman.

This bill, as the gentleman from Lehigh, Mr. Steckel, states, extends to the new commentators of TV and radio stations the same privileges enjoyed by newspaper reporters.

On one occasion I saw a newspaper reporter, when someone tried to interrogate him as to the source of his information, stand up to the interrogator, who was a man of high office, and say "I have the right to protect the sources of my information."

When a man's reputation is damaged by TV, radio, or newspaper, and he can prove it is damaged, he can get a very good recovery at law. You do not read much about it in the newspapers because the newspapers will not publish too much on the libel suit settlements. But there is a recourse. On the other hand, we have a privilege of the American people; the right of the people to know what is going on. If we do not give to the television and radio the privileges enjoyed by the newspapers, we are going to cut down on news. Therefore, I urge everybody to vote for this bill.

Mr. FINEMAN. Mr. Speaker, the gentleman says that anyone whose reputation has been damaged has a remedy, he has redress by law. I am just wondering, and I am suggesting to his thinking, how fully does it repair a

person's damaged reputation for him to go to court and get a dollar and cents verdict? Does that clear his reputation? Does that restore him to the status quo he enjoyed before this slanderous comment was placed on the airways? Of course it does not. It may for the time being ease the hurt, but it certainly does not do the man the full justice he is entitled to. It does not restore the reputation that has been damaged, because once slanderous information has been given out over the airways there will be people who will choose to think what the man has been accused of—the information in the form of an accusation is, in truth, fact.

If TV and radio know they have to disclose the source of information that is given to them, perhaps they may not be so quick to want to volunteer this information over the airways. It is for this reason that I ask the Members of the House to vote down this bill.

Mr. STECKEL. Will the gentleman from Philadelphia, Mr. Fineman, consent to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. STECKEL. Mr. Speaker, can the gentleman justify the distinction between the Press and the radio which he has been pushing in seeking the defeat of this bill?

Mr. FINEMAN. Well, I do not seek to ask the Members of this House to vote yes or no on this bill based upon whether or not the Press now does not have the privilege. I have before me only this bill, and I do not intend to debate the propriety of the Press' present privilege, but I say to you, based on what is in this bill alone, it is bad.

Mr. STECKEL. I thank the gentleman.

If the ban which presently exists on divulging the information that comes to the hands of newspaper reporters is good, then the ban should be equally available to those news media, radio and television. If the ban is not good, then it should be taken away from the newspapers.

Since we already have and are acquainted with the fact that newspapers are provided with this protection, I can see no reason why the other news dispersing media should not be provided the same protection.

Mr. SCHWARTZ. Mr. Speaker, in answer to the last gentleman's statement; he does not see a reason for differentiating between newspapers, perhaps, and television on the other hand. I think we all read the newspapers, and we have been reading them avidly the last couple of weeks about these quiz programs. It seems to me somewhere along the line there is going to be some impact with this legislation on the testimony that is being presented down in Washington.

I for one would not like to give a method to the television stations, studios, producers, employees and so forth to hide any information of any kind in connection with these quiz programs. I think on this basis alone, until the atmosphere is cleared, until we know who was doing what, who was bilking whom, we certainly should not pass any legislation like this that gives immunity to television stations.

Mr. GAILEY. Mr. Speaker, I am very glad the gentleman raised the question of whether or not there is a distinction between radio, TV and the Press. I think there is a distinction. I think there is a very pointed, a very strong, distinction. I will tell you what it is.

A newspaper man, when he submits his story and when he sends this story to the public, sets it forth in writing.

It is there for everyone to see. It is there tomorrow, it is there next week, it is there ten years from now. That story can be checked and can be analyzed.

I suggest, however, to the Members of the House that the words of the news commentator are ephemeral. They are here today; they are gone tomorrow. I know, of course, that most of the network programs are monitored and that they are taped usually both for television and radio. This is not true—I repeat—this is not true of most small broadcasting systems in our smaller cities and communities. In other words, those words that are spoken today can never be repeated again except by those who heard them. Any lawyer will tell you and I think anybody in this House knows that if you get ten people who heard the same conversation or the same comment, you will probably get ten different versions of what happened. I tell you there is a difference. There is a big difference. For that reason, as well as for the reasons expressed by the gentleman from Philadelphia, Mr. Fineman and Mr. Schwartz, I think this bill should be defeated.

Mr. TOMPkins. Mr. Speaker, I want to try to clarify one point that has been raised by the gentleman from Philadelphia, Mr. Schwartz, in connection with these TV quiz programs. There is a great difference between the cheating and fraud which took place by the participants of the quiz programs and the furnishing of information for a news broadcast. This bill does not cover the cheating and fraud that takes place in such things as your quiz programs; this is to protect the news broadcaster from having to divulge the sources of his information.

While I am on my feet, I want to confirm what the gentleman from Delaware, Mr. Bell, said because I happen to have been a witness to an attempt to harass a newspaperman to disclose the source of his information and he stood firm on his immunity, and it later turned out that his information in the paper was true.

Mr. GOLDSTEIN. Mr. Speaker, in reply to the gentleman from York, Mr. Gailey, I suggest that he check the federal laws which require that all matters spoken over a radio station must be recorded and that they must be kept for a designated number of years so anybody injured may sue upon a basis of the recording.

Mr. GAILEY. Only with regard to that which the gentleman from Allegheny just stated, Mr. Speaker, we have a basic point of difference here. I do not think that which he says is so. I think he is mistaken.

Mr. BELL. Just a minute, to bring us back to the bill, in the bill I think there is a clear choice here. Whether you want news on the air given by commentators who are able to obtain news because people will tell them news which they would not tell them if they knew that the sources would be disclosed. Now that is presently enjoyed by the newspaperman, and I would say this, and I am probably talking to the Capitol correspondents, maybe a lot of their stories would not reach them if they could be forced to divulge the sources.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—63

Bell,
Bonner,
Bower,
Bowman,

Frank,
George,
Goldstein,
Gramlich,

Markley,
Mihm,
Miller, B. Z.,
Miller, H. G.,

Snare,
Stank,
Steckel,
Stoner,

Breth,	Horst,	Munley,	Tompkins,
Buchanan,	Johnson, R.,	Murray, H. P.	Wall,
Capano,	Kessler,	Musto,	Walsh,
Devlin,	Korns,	Naugle,	Wargo,
Donahue,	Kubitsky,	Needham,	Williams, A.D., Jr.,
Donaldson,	Lee, A. M.,	O'Donnell, J. A.,	Willard,
Down,	Light,	Ogilvie,	Wilt,
Edwards,	Lopresti,	Price,	Wood,
Eshleman,	Lutty,	Pursley,	Worley,
Fetterolf,	McCandless,	Reidenbach,	Wynd,
Foerster,	McCann,	Royer,	Yatron,
Fox,	McInroy,	Seltzer,	

NAYS—83

Anderson,	Fulmer,	Leonard,	Polen,
Arlene,	Galley,	Limper,	Renwick,
Ashton,	Gallagher,	Lippincott,	Riley,
Balthaser,	Garlock,	Luigard,	Rovansek,
Boris,	Gelfand,	McDonald,	Sakulsky,
Burns,	Goodrich,	McKeever,	Scarcelll,
Capitolo,	Heavey,	McLaughlin,	Schaaf,
Cianfrani,	Hocker,	Machmer,	Schwartz,
Cioffi,	Holliday,	Mahan,	Sherman,
Clarke,	Holt,	Maxwell,	Shupnik,
Comer,	Irviss,	Meholchick,	Silverman,
Crossin,	Isaacs,	Mills,	Stewart,
Curwood,	Jim,	Muldowney,	Stimmel,
Davis,	Jones, F. R.,	Murphy, P. J.,	Stone,
Dengler,	Kamyk,	Nelson,	Sullivan,
Dougherty,	Kee,	O'dorisio,	Taylor,
Eshback,	Kelser,	O'Neil,	Verona,
Farabaugh,	Kernaghan,	Parlante,	Welsh,
Filo,	Kooker,	Pashley,	Yetter,
Fineman,	Kovolenko,	Perry, H. H.,	Andrews,
Flynn,	Lamb,	Polski,	Speaker

NOT VOTING—62

Agnew,	Guthrie,	Monroe,	Snider,
Auker,	Hamilton,	Moran,	Stevens,
Barton,	Hefner,	Mullen,	Strausser,
Blair,	Helm,	Murphy, A. J., Jr.,	Stroup,
Boles,	Henzel,	Murray, J. J.,	Thompson,
Branca,	Jenkins,	Murray, P. G.,	Trusio,
Brenninger,	Johnson, A. W.,	O'Dell,	Ujobal,
Brown,	Jones, T. H. W.,	O'Donnell, J. P.,	Varallo,
Cooper,	Jump,	Perry, P. E.,	Varner,
Dennis,	Knecht,	Petrosky,	Weldner,
Dennison,	Kornick,	Prendergast,	Wescott,
Elberg,	Lee, K. B.,	Reibman,	Wheeler,
Ewing,	McCormack,	Rigby,	Whittaker,
Floyd,	Magee,	Rudisill,	Williams, E. S.,
Frascella,	Merry,	Willard,	Schuster,
Gibb,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,

Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelll,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irviss,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	O'dorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Elberg,	Korns,	O'Neil,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Hefner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boles,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobal,
Dennis,	Kornick,	Prendergast,	Varner,
Dennison,	McCormack,	Rigby,	Weldner,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 202, entitled:

An Act amending the act of May 9, 1949 (P. L. 919) entitled "An Act designating certain clerks of courts agent of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth * * *" changing the day for rendering certain returns to the Department of Revenue.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holiday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cloffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Eilberg,	Korns,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Heffner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boies,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.,	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobai,
Dennis,	Kornick,	Prendergast,	Varnar,
Dennison,	McCormack,	Rigby,	Weidner,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of share holders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series

exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by Block v Baldwin Locomotive Works 75 D & C 24 and Marks v The Autocar Co 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holiday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cloffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Eilberg,	Korns,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Wynd,
Fineman,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Lippincott,	Reibman,	Zimmerman,
Foerster,	Lopresti,	Reidenbach,	
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—1

Worley,

NOT VOTING—37

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Heffner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boies,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.,	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobai,
Dennis,	Kornick,	Prendergast,	Varnar,
Dennison,	McCormack,	Rigby,	Weidner,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has

passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 259, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to settlement of small estates on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution of small estates bonds of guardians named in conveyance and powers duties and liabilities of guardians appointed by court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Flio,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Loprestl,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Heffner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boles,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobal,
Dennis,	Kornick,	Prendergast,	Varnier,
Dennison,	McCormack,	Rigby,	Weidner,
			Wheeler,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YETS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Flio,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Loprestl,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Gibb,	Monroe,	Rudisill,
Auker,	Heffner,	Moran,	Snider,
Barton,	Helm,	Mullen,	Stevens,
Boles,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Branca,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Brown,	Jump,	O'Donnell, J. P.	Thompson,
Cooper,	Knecht,	Perry, P. E.,	Ujobal,
Dennis,	Kornick,	Prendergast,	Varnier,
Dennison,	McCormack,	Rigby,	Weidner,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Boris,	George,	Machmer,	Schwartz,
Bower,	Goldstein,	Magee,	Seltzer,
Bonner,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—1

Worley,

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the

affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 319, Printer's No. 344, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 374, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth . . ." changing the license year to commence the first day of January each year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cloffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvls,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Oglivie,	Whittaker,
Ellberg,	Korns,	O'Neill,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,

Branca,
Brown,
Cooper,
Dennis,
Dennison,
Gibb,

Jump,
Knecht,
Kornick,
McCormack,
Monroe,

O'Donnell, J. P.
Perry, P. E.,
Prendergast,
Rigby,
Rudisill,

Thompson,
Ujobal,
Varner,
Weidner,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. LOPRESTI IN THE CHAIR.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. GOODRICH. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOODRICH. Mr. Speaker, it has been called to my attention that I was recorded incorrectly on two roll calls on August 25. The bills in question were Senate Bills 478 and 479, concerning the raising of salaries for certain county officials.

I personally felt, before the passage of these bills, that the row offices in seventh and eighth class counties were the poorest paid public officials in Pennsylvania. Concerning the roll calls, I conferred with the Secretary and he said that there was a degree of confusion at the time. This is no reflection upon the recording. I am sure the employes of the House and the Members of the House will be pleased when we have an electric roll call system and a case like this could not happen again.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 382, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the assessing and levying of taxes by all school board members when union districts are first created.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Breth,	Guthrie,	Maxwell,	Silverman,
Buchanan,	Hamilton,	Meholchick,	Snare,
Burns,	Heavey,	Merry,	Stank,
Capano,	Henzel,	Mihm,	Steckel,
Capitolo,	Hocker,	Miller, B. Z.,	Stewart,
Cianfrani,	Holliday,	Miller, H. G.,	Stimmel,
Cloffi,	Holt,	Mills,	Stone,
Clarke,	Horst,	Muldowney,	Stoner,
	Irvls,	Munley,	Sullivan,

Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Elberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A.J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 399, Printer's No. 780, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 456, entitled:

An Act repealing the act of March 12, 1873 (P. L. 271), entitled "An act to prohibit the keeping of billiard rooms, bowling saloons and ten-pin alleys within two miles of the State Normal School at Mansfield in the county of Tioga."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcell,
Bell,	Garlock,	McKeever,	Schaaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,

Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvlis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Elberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A.J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721) entitled as amended "An act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania . . ." providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Andrews,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcell,
Bell,	Garlock,	McKeever,	Schaaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,

Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Snare,
Brenninger,	Guthrie,	Maxwell,	Shupnik,
Breth,	Hamilton,	Meholchick,	Silverman,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvls,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Keiser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korna,	O'Neil,	Williams, A.D., Jr.
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Anderson,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 499, entitled:

An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein	Magee,	Seltzer,

Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brennlinger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvls,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Keiser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korna,	O'Neil,	Williams, A.D., Jr.
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 510, entitled:

An Act amending the act of June 7, 1901 (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" permitting the use of rigid polyvinyl chloride pipe and providing for the joining of pipes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 535, Printer's No. 571,
Senate Bill No. 648, Printer's No. 1534,
Senate Bill No. 654, Printer's No. 708,
Senate Bill No. 661, Printer's No. 715 and
Senate Bill No. 662, Printer's No. 716,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 697, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GELFAND. Mr. Speaker, this is a seemingly innocuous bill. As a matter of fact, all it proposes to do is to permit a board of directors of a railroad corporation to select or delegate from its midst an executive committee comprised of at least two or more of its number to exercise the authority of the board of directors in the management of the business of the company.

I would say this, that though this appears to be similar to the provisions in our Pennsylvania Business Corporation Law, our General Business Corporation Law, with regard to railroads it goes much too far. Railroad corporations have always had a peculiar significance to this Commonwealth and they have never been organized or incorporated under a General Business Corporation Law. As a matter of fact, they have always been couched and organized by special acts of the Assembly, which permit the incorporation, and when these acts were passed they were always couched with certain safeguards.

As a matter of fact, in the Act of 1868, where we permitted the organization of railroad corporations, we were very, very careful in providing that there shall be a board of directors of at least twelve men and that a majority, a quorum, consisting of seven shall make up the majority necessary to operate and conduct the operations of the railroad corporation. This was the law of this Commonwealth for a long, long time. In 1949 this was amended somewhat and provided that the number of directors necessary for a railroad corporation shall be a minimum of three, and there also we provided that this minimum number shall be able to conduct the entire operation of the railroad corporation.

What we would do by this particular piece of legislation is to further reduce the management and operation of a railroad corporation which is invested with a tremendous amount of power, and which also has the ability to throttle the communications and transportation of this entire Commonwealth. What we would do now is take away from this minimum board of directors or, rather, we would extend to this minimum board of directors of three, the power to delegate their authority to an execu-

tive committee consisting of two. Now, here we would have two men operating, managing, controlling the entire railroad transportation facilities of this Commonwealth. I would say that this is too far an extension of power for a railroad corporation or the board of directors of any railroad corporation. It would impose the ability on these men to determine policies which would be inimicable to the entire welfare of this Commonwealth. I think it is incumbent, a sworn duty, on our part to prevent this from happening in the Commonwealth.

I would point out that many Members would probably say that if this is permissible for a business corporation why should it not be permissible for a railroad corporation. The differences are many-fold. No business corporation has the right of eminent domain, which the railroads long have had. No business corporation, except in peculiar circumstances, are regulated by the Public Utility Commission; no business corporations generally have the right to throttle the entire Commonwealth by tying up the complete transportation system. I would say that it would also take away a lot of those rights which are delegated to boards of directors by stockholders and would permit a railroad corporation to act freely without any resort to the stockholders in many, many instances. I think this would be very, very poor legislation and I would suggest that as a mass we all vote against this legislation and vote it down thoroughly.

Mr. McCANN. Mr. Speaker, it was explained in the caucus, if I may have the permission, that Senate Bill 697 and Senate Bill 698 are companion bills dealing with changes in the law. I would request and urge the Members to support the bills, and get them to the Governor's desk. I believe that changes in philosophy many times may occur in situations dealing with this subject. I admire the position taken by the gentleman from Philadelphia. I believe that at all times we are out to protect the rights of all individuals, the stockholders and all the people. I think these men also owe an extremely great obligation to what they handle and whom they head and whom they speak for. I urge all the Members to please support and pass Senate Bill 697 and Senate Bill 698.

Mr. GELFAND. Mr. Speaker, it is rare when I argue with my Majority Leader, but I will this time.

Senate Bill 697 and Senate Bill 698 are in no way companion bills. Senate Bill 698 provides for proxy voting, I believe. It has nothing to do with the appointing of an executive committee from a board of directors.

I will stick to my point of view and will say that this type of legislation is not for the welfare of our Commonwealth; it is not in the best interest of our Commonwealth. I would suggest that we vote it down thoroughly.

I would also point out that this type of legislation was debated on the floor of this House two years ago in the previous Session, and, although it did pass, it was vetoed by the Governor of this Commonwealth for the very reasons which I have just stated. I think we owe a duty to our Commonwealth to vote this type of legislation down.

Mr. TOMPKINS. Mr. Speaker, may I merely affirm what the Majority Leader, Mr. McCann, has said in connection with these bills. I ask that all of our Members vote "Yes" on them.

Mr. GELFAND. I am requesting a slow roll call on this bill.

The SPEAKER pro tempore. Does the gentleman insist

upon a slow roll call?

Mr. GELFAND. I think this bill is important enough that we should have a slow roll call, and I request it, and will stick to my request.

On the question recurring,
Shall the bill pass finally?

MOTION TO POSTPONE

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,
Will the House agree to the motion?
It was not agreed to.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Anderson,	Frank,	Lopresti,	Riley,
Arlene,	Fulmer,	Lutty,	Rovansek,
Ashton,	Gallagher,	McCann,	Royer,
Balthaser,	Garlock,	McDonald,	Sakulsky,
Bell,	Goldstein,	McInroy,	Scarcelli,
Bonner,	Goodrich,	McLaughlin,	Schaaf,
Bowman,	Gramlich,	Markley,	Schwartz,
Breth,	Hamilton,	Maxwell,	Seltzer,
Buchanan,	Hocker,	Mihm,	Shupnik,
Burns,	Horst,	Miller, B. Z.,	Snare,
Capitolo,	Irvls,	Mills,	Stank,
Cianfrani,	Isaacs,	Munley,	Stewart,
Cioffi,	Jim,	Murphy, P. J.,	Stimmel,
Clarke,	Johnson, R.,	Murray, H. P.	Stone,
Comer,	Jones, F. R.,	Musto,	Stoner,
Crossin,	Kamyk,	Naugle,	Tompkins,
Curwood,	Kee,	Needham,	Verona,
Davis,	Kelser,	O'Donnell, J. A.,	Wall,
Dengler,	Kernaghan,	Odorisio,	Walsh,
Devlin,	Kessler,	Ogilvie,	Wargo,
Donahue,	Kooker,	O'Neill,	Wescott,
Dougherty,	Korns,	Pashley,	Whittaker,
Edwards,	Kovolenko,	Petrosky,	Williams, A.D., Jr.,
Eshback,	Kubitsky,	Polaski,	Wood,
Eshleman,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Price,	Yatron,
Fetterolf,	Lee, K. B.,	Reibman,	Yetter,
Filo,	Leonard,	Reldenbach,	Andrews,
Flynn,	Light,	Renwick,	Speaker
Foerster,	Lippincott,		

NAYS—17

Fineman,	Lulgard,	Nelson,	Silverman,
Galley,	McKeever,	Parlante,	Sullivan,
Gelfand,	Machmer,	Perry, H. H.,	Taylor,
Holt,	Muldowney,	Sherman,	Welsh,
Limper,			

NOT VOTING—74

Agnew,	Fox,	Mahan,	Snider,
Auker,	Frascella,	Meholchick,	Steckel,
Barton,	George,	Merry,	Stevens,
Blair,	Gibb,	Miller, H. G.,	Strausser,
Boles,	Guthrie,	Monroe,	Stroup,
Boris,	Heavey,	Moran,	Thompson,
Bower,	Heffner,	Mullen,	Trusio,
Branca,	Helm,	Murphy, A. J., Jr.,	Ujobal,
Brenninger,	Henzel,	Murray, J. J.,	Varallo,
Brown,	Holliday,	Murray, P. G.,	Varnier,
Capano,	Jenkins,	O'Dell,	Weidner,
Cooper,	Johnson, A. W.,	O'Donnell, J. P.,	Wheeler,
Dennis,	Jones, T. H. W.,	Perry, P. E.,	Williams, E. S.,
Dennison,	Jump,	Prendergast,	Willard,
Donaldson,	Knecht,	Pursley,	Willaredt,
Down,	Kornick,	Rigby,	Wilt,
Elberg,	McCandless,	Rudisill,	Wynd,
Ewing,	McCormack,	Schuster,	Zimmerman,
Floyd,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the

affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 698, entitled:

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof and repealing certain acts and parts of acts relating to railroad corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvls,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Elberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reldenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Keiser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Eilberg,	Korns,	O'Neil,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Anderson,	Frank,	Lutty,	Renwick,
Arlene,	Frascella,	McCandless,	Riley,
Ashton,	Fulmer,	McCann,	Rovansek,
Balthaser,	Galley,	McDonald,	Royer,
Bell,	Gallagher,	McInroy,	Sakulsky,
Blair,	Garlock,	McKeever,	Scarcelli,
Bonner,	Gelfand,	McLaughlin,	Schaaf,
Boris,	George,	Machmer,	Schuster,
Bower,	Goldstein,	Magee,	Schwartz,
Bowman,	Goodrich,	Mahan,	Seltzer,
Brenninger,	Gramlich,	Markley,	Sherman,
Breth,	Guthrie,	Maxwell,	Shupnik,
Buchanan,	Hamilton,	Meholchick,	Silverman,
Burns,	Heavey,	Merry,	Snare,
Capano,	Henzel,	Mihm,	Stank,
Capitolo,	Hocker,	Miller, B. Z.,	Steckel,
Cianfrani,	Holliday,	Miller, H. G.,	Stewart,
Cioffi,	Holt,	Mills,	Stimmel,
Clarke,	Horst,	Muldowney,	Stone,
Comer,	Irvis,	Munley,	Stoner,
Crossin,	Isaacs,	Murphy, P. J.,	Sullivan,
Curwood,	Jenkins,	Murray, H. P.,	Taylor,
Davis,	Jim,	Murray, J. J.,	Tompkins,
Dengler,	Johnson, R.,	Musto,	Trusio,
Devlin,	Jones, F. R.,	Naugle,	Varallo,
Donahue,	Kamyk,	Needham,	Verona,
Donaldson,	Kee,	Nelson,	Wall,
Dougherty,	Keiser,	O'Dell,	Walsh,
Down,	Kernaghan,	O'Donnell, J. A.,	Wargo,
Edwards,	Kessler,	Odorisio,	Welsh,
Eilberg,	Kooker,	Ogilvie,	Wescott,
Eshback,	Korns,	O'Neil,	Whittaker,
Eshleman,	Kovolenko,	Parlante,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Pashley,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willard,
Fetterolf,	Lee, K. B.,	Petrosky,	Willaredt,
Filo,	Leonard,	Polaski,	Wilt,
Fineman,	Light,	Polen,	Wood,
Floyd,	Limper,	Price,	Worley,
Flynn,	Lippincott,	Pursley,	Wynd,
Foerster,	Lopresti,	Reibman,	Yatron,
Fox,	Luigard,	Reidenbach,	Yetter,
Frank,			Zimmerman,

NAYS—1

Andrews,
Speaker

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 839, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" further regulating the use of blue warning lights by volunteer firemen and members of hose companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kee,	Needham,	Wall,
Donahue,	Kamyk,	Nelson,	Walsh,
Donaldson,	Keiser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odoriso,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Eilberg,	Korna,	O'Neill,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Flneman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,

The majority required by the Constitution having been

voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clark return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILLS PASSED OVER

There being no objection,

House Bill No. 578, Printer's No. 1819 and

House Bill No. 1822, Printer's No. 1806

were passed over at the request of the SPEAKER pro tempore.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 460, Printer's No. 1818;

House Bill No. 1316, Printer's No. 1811 and

House Bill No. 1342, Printer's No. 1820

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers * * * and providing an appropriation therefor.

On the question,

Will the House agreed to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 2170, Printer's No. 1812, in each of the respective caucuses, the amendments that were agreed to yesterday following a series of conferences are inserted in this bill. I believe there are gentlemen on both sides who will speak for respective segments of those who were deeply concerned regarding House Bill 2170, Printer's No. 1812, which is now an agreed-to bill as amended.

With the understanding following the conferences and the bill as it is printed, I understand it is correct regarding the amendments, we would like to request an affirmative vote in the passage of House Bill 2170.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Anderson,	Frank,	McCandless,	Riley,
Arlene,	Frascella,	McCann,	Rovansek,
Ashton,	Fulmer,	McDonald,	Royer,
Balthaser,	Galley,	McInroy,	Sakulsky,
Bell,	Gallagher,	McKeever,	Scarcelli,
Blair,	Garlock,	McLaughlin,	Schaaf,

Bonner,	Gelfand,	Machmer,	Schuster,
Boris,	George,	Magee,	Schwartz,
Bower,	Goldstein	Mahan,	Seltzer,
Bowman,	Goodrich,	Markley,	Sherman,
Brenninger,	Gramlich,	Maxwell,	Shupnik,
Breth,	Guthrie,	Meholchick,	Silverman,
Buchanan,	Hamilton,	Merry,	Snare,
Burns,	Heavey,	Mihm,	Stank,
Capano,	Henzel,	Miller, B. Z.,	Steckel,
Capitolo,	Hocker,	Miller, H. G.,	Stewart,
Cianfrani,	Holliday,	Mills,	Stimmel,
Cioffi,	Holt,	Muldowney,	Stone,
Clarke,	Irviss,	Munley,	Stoner,
Comer,	Isaacs,	Murphy, P. J.,	Sullivan,
Crossin,	Jenkins,	Murray, H. P.,	Taylor,
Curwood,	Jim,	Murray, J. J.,	Tompkins,
Davis,	Johnson, R.,	Musto,	Trusio,
Dengler,	Jones, F. R.,	Naugle,	Varallo,
Devlin,	Kee,	Needham,	Verona,
Donahue,	Kamyk,	Nelson,	Wall,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lopresti,	Reibman,	Yetter,
Foerster,	Luigard,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
			Speaker

NAYS—3

Horst, Lippincott, Walsh,

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobai,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 2347, Printer's No. 1813 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2380, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cioffi,	Horst,	Muldowney,	Stoner,
Clarke,	Irviss,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.,	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Kelser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Ellberg,	Korns,	O'Neill,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Boles,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobai,
Cooper,	Kornick,	Prendergast,	Varner,
Dennis,	McCormack,	Rigby,	Weldner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

Senate Bill 53, Printer's No. 1537;

Senate Bill No. 146, Printer's No. 1520 and

Senate Bill No. 1107, Printer's No. 1538

were passed over at the request of the SPEAKER pro tempore.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1560, Printer's No. 1658, on page 10 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to call up House Bill No. 2353.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2353.

An Act amending the act of June 12, 1919 (P. L. 476), entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class," fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 19, by inserting after the word "immediately" the following: and the provisions thereof shall be retroactive to October 1, 1959. Any county treasurer who has heretofore collected a fee for an exemplification of a military or naval discharge or certificate of service obtained for the purpose of securing benefits under "Korean Conflict Veteran's Compensation Act," shall return the same to the person who made payment thereof.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. McCANN. Mr. Speaker, House Bill 2353 pertains to counties of the second class. It deals with the Korean Conflict Veterans' Compensation Act. The additional amendments in the bill simply state that the county treasurer who has heretofore collected a fee for the exemplification of a military or naval discharge or a certificate of service obtained for the purpose of securing benefits under the Korean Conflict Veterans' Compensation Act shall return the same to the person who made the payment thereof.

For the counties of the second class, Allegheny County, these amendments were inserted in the bill in the Senate with the agreement of the second class county of Allegheny county, and the amendments are agreed to pertaining to the permissibility to pay this money. Therefore, since they have this agreement and this will take care of the counties of the second class, the other bill is not here, House Bill No. 2355, the companion bill by which the other counties are settling their situation.

Mr. TOMPKINS. Mr. Speaker, I wish to affirm concurrence in this bill.

Mr. WALSH. Mr. Speaker, the intent of that last amendment, striking out "recorder" and placing in "treasurer," is that since this money has already been turned over, a lot of it, to the county treasurer, the county treasurer is to be in a position so he can return this money to the veterans who have already paid for this service.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Anderson,	Frascella,	McCandless,	Rovansek,
Arlene,	Fulmer,	McCann,	Royer,
Ashton,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Bell,	Garlock,	McKeever,	Schaaf,
Blair,	Gelfand,	McLaughlin,	Schuster,
Bonner,	George,	Machmer,	Schwartz,
Boris,	Goldstein,	Magee,	Seltzer,
Bower,	Goodrich,	Mahan,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snare,
Buchanan,	Heavey,	Merry,	Stank,
Burns,	Henzel,	Mihm,	Steckel,
Capano,	Hocker,	Miller, B. Z.,	Stewart,
Capitolo,	Holliday,	Miller, H. G.,	Stimmel,
Cianfrani,	Holt,	Mills,	Stone,
Cloff,	Horst,	Muldowney,	Stoner,
Clarke,	Irvis,	Munley,	Sullivan,
Comer,	Isaacs,	Murphy, P. J.,	Taylor,
Crossin,	Jenkins,	Murray, H. P.	Tompkins,
Curwood,	Jim,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, P. R.,	Naugle,	Verona,
Devlin,	Kamyk,	Needham,	Wall,
Donahue,	Kee,	Nelson,	Walsh,
Donaldson,	Ketser,	O'Dell,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Kooker,	Ogilvie,	Whittaker,
Elberg,	Korns,	O'Neil,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Parlante,	Williams, E. S.,
Eshleman,	Kubitsky,	Pashley,	Willard,
Ewing,	Lamb,	Perry, H. H.,	Willaredt,
Farabaugh,	Lee, A. M.,	Petrosky,	Wilt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reldenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker

NAYS—0

NOT VOTING—37

Agnew,	Heffner,	Moran,	Snider,
Auker,	Helm,	Mullen,	Stevens,
Barton,	Johnson, A. W.,	Murphy, A.J., Jr.,	Strausser,
Botes,	Jones, T. H. W.,	Murray, P. G.,	Stroup,
Branca,	Jump,	O'Donnell, J. P.,	Thompson,
Brown,	Knecht,	Perry, P. E.,	Ujobal,
Cooper,	Kornick,	Prendergast,	Varnier,
Dennis,	McCormack,	Rigby,	Weidner,
Dennison,	Monroe,	Rudisill,	Wheeler,
Gibb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS PASSED OVER

All bills remaining on today's calendar not considered were passed over at the request of Mr. McCANN.

Mr. TOMPKINS. Mr. Speaker, I wonder if I might ask the Majority Leader what his schedule is for next week so far as he can tell us.

Mr. McCANN. Mr. Speaker, following last night's Conference Committee that met until midnight, there is a series of propositions that are being taken to the Republican Senate Caucus on Monday.

At the same time a series of propositions presented by the Republican Members of the House on the Conference Committee are going to be presented to the Democratic Caucus on Monday. Following that conference we will be able to definitely establish what we can do regarding a series of bills which the Conference Committee was con-

sidering and is considering.

We tentatively have agreed that the House and the Senate will operate next week starting at the proper time on Monday, except I do earnestly appeal that all the Members on the Democratic side of the House arrive at the caucus by 2:30 on Monday so that we may discuss, very thoroughly, these items regarding the entire problem of the budget, the revenue and various other items as presented in the Conference Committee discussions last night.

This House will definitely operate at least three days or more next week. Monday, Tuesday and Wednesday for sure at the scheduled times of 4:30, 12:00 and 10:00. I still have hopes that if the agreements can be reached that the House can complete its work and arrive at a sine die position prior to the end of the week. If it cannot, there will definitely be a recess of three straight weeks in this House, the week before election, the week of election, and the week following the election, which includes Veterans' Day, or formerly, Armistice Day, in the middle of the week.

It is still my earnest hope, and it is still my desire in the hours that we have met, night after night, clear into midnight and later every given night last week and this week, that that goal can be reached for Saturday, October 24.

Mr. TOMPKINS. Mr. Speaker, our Members who are here, I would like to urge that they promptly be at our caucus at 2:30 next Monday as well.

REPORTS FROM COMMITTEE

Mr. CIOFFI from the Committee on Highways, reported as committed, House Bill No. 2404, entitled:

An Act repealing Section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes," abolishing certain requirements.

Mr. YETTER from the Committee on Highways, reported as committed, Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," defining "House Trailer," "Mobilehome" and "Office Trailer" and including certain persons buying, selling, exchanging, assembling, financing or making loans on such vehicles or their parts within the definition of "Dealers," prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

Mrs. MUNLEY from the Committee on Highways, reported as committed, Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

Mr. CIOFFI from the Committee on Highways, reported as committed, Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," excepting mobilehomes house trailers or office trailers from safety glass requirements.

Mr. STONE from the Committee on Highways, reported as committed, Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," fixing the annual registration fee for mobile homes, house trailers and office trailers.

Mr. YETTER from the Committee on Highways, reported

as committed, Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," exempting certain trailers from lighting requirements.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1168, entitled:

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in notes and bonds of the Pennsylvania Housing Agency.

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2404, entitled:

An Act repealing Section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction,

erection and maintenance of roadside rests adjacent to State highway routes," abolishing certain requirements.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and "Office Trailer" and including certain persons buying, selling, exchanging, assembling, financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes, house trailers or office trailers from safety glass requirements.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for mobile homes, house trailers and office trailers.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1168, entitled:

An Act to promote the health, safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization, membership and administration of the agency prescribing its

general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

BIRTHDAYS

Mr. McCANN. Mr. Speaker, if the House will permit, we have a couple of extremely important dates to some people.

Today, Mr. Speaker, is the birthday of the gentleman from Westmoreland, Mr. Petrosky.

Before we wish a happy birthday to the gentleman from Westmoreland, Mr. Petrosky, tomorrow is the birthday of the pride of Reading, Pennsylvania, the gentleman from Berks, Mr. Yatron. So to make the two-fold purpose serve we would like to wish a happy birthday to both Tony and Gus, for today and tomorrow.

The Members joined with Mr. Dengler in singing "Happy Birthday."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. I have escaped this for a period of twenty years, and we have had some other long Sessions, you know. But thanks kindly. A year older, possibly not wiser.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Yatron.

Mr. YATRON. Mr. Speaker, earlier in the Session we sang Happy Birthday to various House Members, and I thought for sure I would escape this by the fact that we would have adjourned by this time, but we haven't been able to do that. I want to say a sincere thank you.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 480.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring the erection of certain warning signs on State highways.

HOUSE BILL No. 540.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the revision of territory upon abolition of an independent school district.

HOUSE BILL No. 717.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

HOUSE BILL No. 2134.

An Act amending the act of June 11, 1879 (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth" increasing the compensation of certain coroner's jurors.

HOUSE BILL No. 2365.

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly * * *" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 446, 447 and 449.

Amended House Bills returned for concurrence Nos. 1198, 1592 and 2218.

BILLS INTRODUCED AND REFERRED

By Messrs. MIHM, BOWER, POLEN and McCANN.

HOUSE BILL No. 2425.

An Act amending the "Public School Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system, changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

Referred to the Committee on Appropriations.

By Mr. YATRON and Mrs. MARKLEY.

HOUSE BILL No. 2426.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), exempting textbooks from the tax in certain cases.

Referred to the Committee on Rules.

By Messrs. McKEEVER and STEWART.

HOUSE BILL No. 2427.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting certain business activities on Sunday.

Referred to the Committee on Rules.

By Mr. COMER.

HOUSE BILL No. 2428.

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242, authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

Referred to the Committee on Highways.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1213.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

HOUSE BILL No. 2335.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

HOUSE BILL No. 2353.

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification

of certain military or naval discharges and certificates of service.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

Mr. GALLAGHER offered a resolution which was filed with the Clerk under the Rules.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, a brief statement for those who may have asked questions about the hotel space since I made the announcement of the schedule.

The Horse Show is here in Harrisburg this coming

week. We met last week with the Hotels assistant managers of the Harrisburger and Penn-Harris Hotels and talked to the man in charge of the New Governor Hotel. Every legislative Member who has a hotel room at any one of those hotels, it is my understanding from Mr. Smith of the Harrisburger, Mr. Fair of the Penn-Harris and Mr. Jones of the New Governor Hotel, will have their rooms as many days as they need them next week, even though the Horse Show is here in Harrisburg.

ADJOURNMENT

Mr. ESHLEMAN. Mr. Speaker, I move that this House do now adjourn until Monday, October 19, 1959 at 3:30 p.m. E.S.T.

The motion was agreed to, and (at 1:17 p.m. E.S.T.) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, OCTOBER 19, 1959.

No. 104.

SENATE

MONDAY, OCTOBER 19, 1959

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, The Venerable ALLEN R. DAY, Rector of Mount Calvary Episcopal Church, Camp Hill, offered the following prayer:

Almighty God, Who hast given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion, from pride and arrogance, and from every evil way.

Defend our liberties and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to Whom in Thy Name we entrust the authority of government of this Commonwealth, that there may be justice and peace at home and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In the time of prosperity, fill our hearts with thankfulness and, in the day of trouble, suffer not our trust in Thee to fail. All this we ask through Jesus Christ, our Lord.

With your permission, I would like to pray for one of your absent Members, Senator Harold Flack.

Remember Thy servant, Harold, dear Lord, and restore him to health that he may do the work which Thou hast prepared for him to do, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, pre-

sented communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF SENATE BILL No. 390

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 390, Printer's No. 908, entitled "An Act amending the act of APRIL 29, 1959 (ACT No. 32) ENTITLED 'The Vehicle Code' permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and signs."

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF THE COURT OF COMMON PLEAS OF THE TWENTY-FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for appointment as Judge of the Court of Common Pleas of the Twenty-first Judicial District of Pennsylvania, composed of the County of Schuylkill, until the first Monday of January 1962, vice Hon. Cyrus M. Palmer, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE STATE REAL ESTATE COMMISSION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Vernon M. Wood, Sr., Harrisburg, Dauphin County, for reappointment as a member of the State Real Estate Commission, until September 21, 1964, and until his successor has been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE COUNCIL OF EDUCATION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Council of Education, from June 21, 1957, for a term of six years, and until their successors shall have been appointed and qualified:

O. H. English, Superintendent, Abington Township Schools, Abington, Montgomery County.

James H. Duckrey, President, Cheyney State Teachers' College, Cheyney, Delaware County.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hugh J. McMenamin, Scranton, Lackawanna County, for reappointment as a member of the Pennsylvania Aeronautics Commission, from December 1, 1958, until December 1, 1962, and until his successor shall be duly appointed and shall have qualified, unless not re-elected for succeeding term.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1961, and until their successors are appointed and qualified:

Edward L. Dardanell, 1500 Riverside Road, Pittsburgh 35, Allegheny County, to fill a vacancy.

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia, Philadelphia County, to fill a vacancy.

S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF COSMETOLOGY

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Katharine O. B. Gray 431 Cherokee Street, Bethlehem, Northampton County, for reappointment as a member of the State Board of Cosmetology, until the third Tuesday of January 1963, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Sweeney, Box 253, Rock Run, Coatesville, Chester County, for appointment as Justice of the Peace in and for the Township of Valley, Chester County, to serve until the first Monday of January 1960, vice L. K. W. Deininger, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate William D. Gould, 1154 Reynolds Avenue, Taylor, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Taylor, Lackawanna County, to serve until the first Monday of January 1960, vice Stephen A. Mraz, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 163, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), excluding buses owned by, or under contract with school districts, private or parochial schools for the transportation of school children and chap-erons from the definition of common carrier by motor vehicle and contract by motor vehicle in certain cases.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

SENATE BILL No. 4 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale of gasoline in glass containers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 124 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 823), entitled "The County Code," authorizing counties to acquire and maintain historical property, and permitting county planning commissions to make recommendations in relation thereto.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 298 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 313 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 82), entitled "The Vehicle Code," requiring the Department of Revenue to issue duplicate registration cards if so requested at the time of application for registration and the prescribed fee is paid.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 19

He also returned to the Senate, Senate Bill No. 19, entitled:

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases . . ." providing for the appointment of special investigators.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 187

He also returned to the Senate, Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators, or nonresident owners, or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania; and making the operation of such vessels in the Commonwealth of Pennsylvania, the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served; and providing for further notice to the defendant in any such suit.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 202

He also returned to the Senate, Senate Bill No. 202, entitled:

An Act amending the act of May 9, 1949 (P. L. 919), entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances and other forfeitures, imposed lost or forfeited into any court for the use of the Commonwealth; . . ." changing the day for rendering certain returns to the Department of Revenue.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 233

He also returned to the Senate, Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety, the acquisition and cancellation of treasury shares, the reduction of authorized shares, the reporting of changes in stated capital, the characterization of earned surplus

after quasi-reorganizations, the payment of dividends in certain cases, the effect of distributions of shares, financial reports to shareholders, the fixing of the date of shareholders meetings, the production of lists of shareholders, the extension of voting trusts, the acquisition or transfer of corporate assets, the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares, the merger or consolidation of parent and wholly-owned subsidiary corporations, service of process on foreign corporations, abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by *Bloch v. Baldwin Locomotive Works*, 75 D. & C. 24, and *Marks v. The Autocar Co.*, 153 F. Supp. 768, eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 259

He also returned to the Senate, Senate Bill No. 259, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," revising and changing provisions relating to settlement of small estates on petition, family exemptions, persons entitled to letters of administration, delegation of power, distribution by guardian of incompetent personal representative or trustee, distribution of small estates bonds of guardians named in conveyance and powers, duties and liabilities of guardians appointed by court.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 304

He also returned to the Senate, Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1953 (P. L. 729), entitled "Second Class County Code," providing for the creation of capital reserve funds for capital expenditures.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 374

He also returned to the Senate, Senate Bill No. 374, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; . . ." changing the license year to commence the first day of each year.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 382

He also returned to the Senate, Senate Bill No. 382, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the assessing and levying of taxes by all the school board members when union districts are first created.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 456

He also returned to the Senate, Senate Bill No. 456, entitled:

An Act repealing the act of March 12, 1878 (P. L. 271), entitled "An act to prohibit the keeping of billiard rooms, bowling saloons and ten-pin alleys, within two miles of the State Normal School in Mansfield, in the County of Tioga."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 490

He also returned to the Senate, Senate Bill No. 490, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721), entitled as amended, "An act providing for the service of process in civil suits on nonresident operators, or non-resident owners, of motor vehicles operated within the Commonwealth of Pennsylvania; . . .," providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 499

He also returned to the Senate, Senate Bill No. 499, entitled:

An Act to provide for the assignment of counsel in criminal cases in certain counties, and for the allowance of compensation in such cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 697

He also returned to the Senate, Senate Bill No. 697, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 698

He also returned to the Senate, Senate Bill No. 698, entitled:

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof; and repealing certain acts and parts of acts relating to railroad corporations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 736

He also returned to the Senate, Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512),

entitled "Fiduciaries Act of 1949," providing for the investment of funds, clarifying the power of a personal representative to sell with the joinder of the specific devisee, and including the power to pledge in the power to sell

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 816

He also returned to the Senate, Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921, (P. L. 682), entitled "The Insurance Company Law of 1921," modifying the requirements of notice of stockholder's meetings to consider increasing or decreasing the capital stock.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 839

He also returned to the Senate, Senate Bill No. 839, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," further regulating the use of blue warning lights by volunteer firemen and members of hose companies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 824, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; . . ." further providing for the taking of exceptions to rulings of the trial judge.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 835, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of Health of the Commonwealth of Pennsylvania and prescribing penalties.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2265

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2265, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2271

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 2170, entitled:

An Act to provide for the better protection of the health, general welfare and property of people of the Commonwealth by the control, abatement, reduction and prevention of the pollution of the air by smokes, dusts, fumes, gases, odors, mists, vapors, pollens and similar matter or any combination thereof; creating within the Department of Health an Air Pollution Control Commission and defining its powers; . . . and providing an appropriation therefor.

Which was committed to the Committee on Rules.
House Bill No. 2380, entitled:

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

Which was committed to the Committee on Rules.
House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

Which was committed to the Committee on Rules.
House Bill No. 2400, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

Which was committed to the Committee on Rules.

House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining the word "document."

Which was committed to the Committee on Rules.

BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

Senate Bill No. 915, Printer's No. 1493.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive

Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE ADVISORY HEALTH BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Pascal F. Lucchesi, M. D., 601 East Gorgas Lane, Chestnut Hill, Philadelphia, Philadelphia County, for reappointment as a member of the Advisory Health Board, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

BANKING BOARD

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate DeHaven Develin, President, The Bryn Mawr Trust Company, Bryn Mawr, Montgomery County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Norman T. Hayes, Rosemont, whose term expired.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Finance, re-reported as amended, House Bill No. 506, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" reducing the tax rate of fuels used in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines.

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 355, entitled:

An Act amending "The Second Township Code" approved May 1, 1933 (P. L. 103), changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

He also, from the Committee on Rules, re-reported as committed, House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges, in connection with capital improvements to the Ebensburg State School.

He also, from the Committee on Rules, reported as committed, House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by gift from the Borough of Northumberland, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestly . . .

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1199, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925," further regulating the catching, taking, killing and possession of carp.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," providing for the election of the city treasurer.

He also, from the Committee on Rules, reported as committed, House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College, and making an appropriation.

He also, from the Committee on Rules, reported as committed, House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs, the Auditor General, and the State Treasurer take office.

He also, from the Committee on Rules, reported as committed, House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey .623 acres more or less of land situate in the city of Erie, County of Erie.

He also, from the Committee on Rules, reported as amended, House Bill No. 2302, entitled:

An Act amending the act of April 28, 1937 (P. L. 417) entitled "Milk Control Law" further regulating cash sales of milk on farms.

He also, from the Committee on Rules, reported as committed, House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood or high water of August, 1955; * * *" extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out of said appropriations and extending the time that appropriations and extending the time that appropriations are available.

HOUSE CONCURRENT RESOLUTION No. 100 REPORTED FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, to which was referred on September 15, 1959, the following resolution from the House of Representatives, reported the same without amendments as follows, viz:

JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE STANDARDS USED BY THE COMMONWEALTH TO PROVIDE FINANCIAL AID TO NONPROFIT HOSPITALS

In the House of Representatives, August 4, 1959.
Whereas, The procedures employed by the Commonwealth to make available financial assistance to non-profit hospitals in order to facilitate the care of the sick and the injured poor have not been comprehensively reviewed within the recent past; and

Whereas, Alternative procedures have been suggested; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission investigate and evaluate the standards and procedures currently used by the Commonwealth to provide such financial aid, and that currently used procedures be compared with alternative procedures proposed as regards Commonwealth costs and operating efficiency; and be it further

Resolved, That the Joint State Government Commission

report its findings and recommendations, together with drafts of such legislation as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

Laid over for one day under the Rules.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1861

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1861

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 2268

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2268

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the resolution I am about to introduce may be an innovation in our practices. I do not recall an instance when we paid homage here on the floor of the Senate to an industrial concern.

It happens that this resolution has as its central theme the largest concern in the Fifth Senatorial District, which I have the honor to represent. This concern is the largest producer of cordials in the United States. It is now celebrating the seventy-fifth anniversary of its exist-

ence. It began from humble beginnings and it is now the leading concern in the United States. I feel that because it exemplifies the spirit of American pioneering, homage should be paid to it in the name of the people of Pennsylvania.

Mr. President, I am, therefore, presenting this resolution with the request that it be referred to the proper committee.

SENATE RESOLUTION

FELICITATIONS OF THE SENATE EXTENDED TO JACQUIN et CIE, INC.

Mr. STIEFEL offered the following resolution (Serial No. 76), which was read and referred to the Committee on Rules:

In the Senate, October 19, 1959.

That the Pioneering Spirit of America is the motivating force of our Nation's greatness is self-evident. Verily, this spirit is the inexhaustible source of the vitality, dedication, exuberance, bravery and nuquenchable thirst for creativeness, which permeate and constitute the world-supremacy of our Nation. In this tragic era of a troublesome midcentury when multiple perplexities beset the rest of the world, the United States of America is blessed with safety and stability due and owing to that indomitable Pioneering Spirit in which is, indeed, imbedded the inventive genius of America. To this spirit, we should constantly rededicate ourselves, since it is our answer and deterrent to any foe that may dare in the future to challenge the supremacy and leadership of America.

In this day of constant flux it behooves us, therefore, to pause and pay from time to time, tribute to leaders, institutions and industrial establishments that are displaying a Pioneering Spirit typical of America's genius and greatness, together with continuity and fruitful planning.

One of Pennsylvania's industrial titans that should command the praise of our citizenry for its Pioneering Spirit and uninterrupted ascendancy from one pinnacle of achievement to another is Charles Jacquin et Cie, Inc. 2633 Trenton Avenue, Philadelphia, located in the Fifth Senatorial District of Pennsylvania, which is now celebrating its seventy-fifth anniversary, and is universally considered as the leading concern in the very vanguard of production of cordials in America.

Founded in 1884, Charles Jacquin et Cie, Inc. is recognized today as America's oldest producer of cordials, the products whereof are recognized as the standard of quality the world over.

The Jacquin plant is one of the most modern in the world and has recently been augmented by a multi-million dollar addition thereto, which would enable the concern to receive shipments in modern tank wagons by pumping the alcoholic ingredients into ten stainless steel storage tanks located above Jacquin's rectifying facilities. Fresh ripe fruits and berries are preserved at the peak of succulence, in Jacquin's own cold storage warehouses; the concern maintains its own distillation and percolation facilities; its rigid standards of quality are checked daily by its own quality control laboratories.

At the helm of this concern stands a dynamic, dedicated and enterprising industrialist, Maurice John Cooper, whose Pioneering Spirit and masterful guidance have maintained ever-rising volumes of production and whose planning conceives blueprints for progress and expansion.

Be It Therefore Resolved, That the Senate of the General Assembly of Pennsylvania extend its felicitations to Jacquin et Cie, Inc. and its president par excellence, Maurice John Cooper, on the occasion of the seventy-fifth anniversary of the concern, writing another stimulating story of American enterprise that from humble beginnings rose to industrial peaks in the true spirit of Pennsylvania's traditional leadership. TALL OAKS FROM LITTLE ACORNS GROW!

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. Fleming asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. PROPERT,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE ADVISORY HEALTH BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Pascal F. Lucchesi, M. D., 601 East Gorgas Lane, Chestnut Hill, Philadelphia, Philadelphia County, for reappointment as a member of the Advisory Health Board, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

BANKING BOARD

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

On conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate De-Haven Develin, President, The Bryn Mawr Trust Company, Bryn Mawr, Montgomery County, for appointment as a member of the Banking Board, until September 1, 1963, and until his successor is duly appointed and qualified, vice Norman T. Hayes, Rosemont, whose term expired.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. PROPERT,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive

Session do now rise.

Mr. PROPERT. Mr. Mr. President, I second the motion. The motion was agreed to.

CALENDAR

SENATE BILL No. 1121 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 2 of today's Third Reading Calendar, Senate Bill No. 1121, Printer's No. 1344.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," further regulating the composition of the return board.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 375, Printer's No. 1521, on concurrence in House amendments, go over in its order.

The President. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such

jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 823

Mr. BERGER. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 823.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 752, Printer's No. 433, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe.
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 899, Printer's No. 1055; and

Senate Bill No. 1036, Printer's No. 1340.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 4 (Sec. 319), page 15, line 11, by striking out the brackets before and after "a disability"; Amend Sec. 4 (Sec. 319), page 15, line 11, by striking out "an injury by accident."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1059, Printer's No. 1540, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1136, on third reading, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing that persons participating in any sport or activity for recreation or exercise shall not be taxed.

be recommitted to the Committee on Rules.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The roll was called and was as follows:

YEAS—24

Berger,	Fleming,	Madigan,	Stevenson,
Blass,	Hays,	Mallery,	Taylor,
Confair,	Kessler,	Murray,	Van Sant,
Donolow,	Koprivier, Jr.	Propert,	Wade,
Ehrgood,	Kromer,	Scott,	Walker,
Elliott,	Lane,	Seyler,	Wolfe,

NAYS—11

Barr,	McCreesh,	Ripp,	Silvert,
Kalman,	McGinnis,	Ruth,	Weiner,
Keller,	Mullin,	Sarraf,	

So the question was determined in the affirmative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1179, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" including the Pennsylvania Air National Guard with the provisions of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Stevenson,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the

question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1205, Printer's No. 1484; and
House Bill No. 1614, Printer's No. 1823.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1942, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the renewal of provisional college certificates.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 1942

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which this bill just passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, (Section 1204), page 2, line 15, by striking out "an" and inserting: "two (2)"; Amend Section 1, (Section 1204), page 2, line 15, by striking out "period" and inserting: "periods"; Amend the bill, page 2, by inserting after line 16: "Section 2. This act shall take effect immediately."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1942, Printer's No. 1154, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2021, Printer's No. 1778, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,

Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2266, entitled:

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law" changing the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Rules, reported as amended, Senate Bill No. 1122, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for the placing of blood type and RH factor on operator's license card.

He also, from the Committee on Rules, reported as amended, House Bill No. 2028, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" further regulating the licensing and operation of man made lakes and ponds where

fishing is permitted upon payment of fees.

RECONSIDERATION OF HOUSE BILL No. 2355

Mr. HAYS. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

passed finally on October 15, 1959.

The PRESIDENT. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to,
And the question recurring,
Shall the bill pass finally?

Mr. HAYS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HAYS. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Bill, page 7, by inserting after line 2: "Section 2. The provisions of this act shall be retroactive, and any recorder of deeds who has heretofore collected and retained a fee or any county treasurer who has heretofore received from the recorder of deeds money paid as a fee for an exemplification of a military or naval discharge or certificate of service obtained for the purpose of securing benefits under "Korean Conflict Veteran's Compensation Act," shall return the same to the person who made payment thereof."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440) entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice, Department of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following appropriation bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printers No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002;
House Bill No. 1157, Printer's No. 1822;
Senate Bill No. 1194, Printer's No. 1457;
House Bill No. 1508, Printer's No. 1530;
House Bill No. 1894, Printer's No. 943;
House Bill No. 2303, Printer's No. 1413;
House Bill No. 2304, Printer's No. 1414; and
House Bill No. 2313, Printer's No. 1523.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 79;
House Bill No. 867, Printer's No. 1694;
Senate Bill No. 932, Printer's No. 1095;
Senate Bill No. 940, Printer's No. 1109;
House Bill No. 998, Printer's No. 1673; and
Senate Bill No. 1017, Printer's No. 1198.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1117, Printer's No. 1335, and
Senate Bill No. 1066, Printer's No. 1541.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1121, Printer's No. 1205;
House Bill No. 1122, Printer's No. 1235;
House Bill No. 1380, Printer's No. 1810;
House Bill No. 1384, Printer's No. 1756; and
House Bill No. 1443, Printer's No. 573.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No.

1639, on second reading, entitled:

An Act amending the act of May 16, 1923 (P. L. 207) entitled "Municipal Claim and Tax Lien Law" extending the term of the lien of certain municipal claims in cities and school districts of the first class to six years and the period for revival of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims to twenty years.

be re-referred to the Committee on Judiciary General.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgements were originally assed under certain terms and conditions.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendments:

Amend Section 1, page 3, line 8 by deleting after the word "case" the words: "from and after the effective date of this act any such real estate tax water rent or sewer rent claim shall be reinstated and shall reattach as a lien or Judgment against the property against which any such tax or claim was originally assessed or judgement was entered and any such lien or judgement shall be a valid claim or judgement and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived or collected as other claims or judgments upon real estate tax water rent or sewer rent claims are revived and collected provided that"; Amend Section 1, page 5, line 4 by inserting after the word "purchaser" the words: "before such claim is filed or amended."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1640, Printer's No. 1397, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1646, entitled:

An Act amending the act of June 12, 1951 (P. L. 533)

entitled "The Mental Health Act of 1951" providing that evidence of mental condition may be submitted by deposition or affidavit of a physician of any City-owned hospital or institution.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1789, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" adding to and redefining the powers and duties of the Department of Public Instruction with respect to libraries and authorizing regional library resource centers.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Section 1 (Section 1305), page 4, line 2, by striking out "establish and"; Amend Section 1 (Section 1305), page 4, line 3, by striking out "set" and inserting: "recommend"; Amend Section 1 (Section 1305), page 5, line 11, by striking out "To" and inserting: "When requested by any library personnel or prospective library personnel or by the board of control of any free library to"; Amend Section 1 (Section 1305), page 6, line 7, by striking out "law" and inserting: "this section"; Amend Section 1 (Section 1305), page 6, lines 8 to 10, by striking out all of said lines; Amend Section 1 (Section 1305), page 6, line 11, by striking out "(o)" and inserting: "(n)".

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 1789, Printer's No. 847, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

House Bill No. 1977, Printer's No. 1783;

House Bill No. 2033, Printers' No. 1675; and

House Bill No. 2361, Printer's No. 1780.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER read in place and presented to the Chair Senate Bill No. 1229, entitled:

An Act amending the act of May 2, 1929 (P. L. 1237), entitled "The Divorce Law," requiring attempt to reconcile parties prior to final judgment of the court.

Which was committed the Committee on Rules.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly and which is now the property of the Borough of Northumberland providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical and Museum Commission authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof authorizing the Pennsylvania Historical and Museum Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical and Museum Commission to accept as gifts or loans such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for enhancing the interests of this property as a museum of science creating an advisory board to assist in such functions and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1122, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for the placing of blood type and RH factor on operator's license card.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1199, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925," further regulating the catching, taking, killing and possession of carp.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," providing for the election of the city treasurer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tract of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440) entitled "An act providing for the construction and equipping of the Pennsylvania Institute for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2028, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2302, entitled:

An Act amending the act of April 28, 1937 (P. L. 417) entitled "Milk Control Law" further regulating cash sales of milk on farms.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriation out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sally L. Schmidt, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from October 30, 1958 for the term of four years, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

COMMITTEE OF CONFERENCE APPOINTED ON
SENATE BILL No. 868

The PRESIDENT. The Chair announces, on behalf of the President pro tempore the appointment of Messrs. PROPERT, PECHAN and SILVERT, as a Committee of Conference on the part of the Senate to confer with a similar

committee of the House(if the House shall appoint such committee) to consider the differences existing between two houses in relation to Senate Bill No. 868.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, October 20, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4.06 o'clock, p. m., Eastern Standard Time, until Tuesday, October 20, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 19, 1959.

The House met at 3:30 p.m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Almighty God, Who in the light of Thy truth dost reveal to us Thy Will and Thy Way: Give us grace, that being not like children carried away with every blast of vain doctrine, we may be established in the truth of Thy holy Gospel; And use us faithfully to proclaim that Gospel by word and deed to the honor and glory of Thy Holy Name: through Jesus Christ, Thy Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, October 15, 1959 will be postponed until printed.

The Chair hears none.

BILL INTRODUCED AND REFERRED

By Mr. POLEN.

HOUSE BILL No. 2429.

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 446.

An Act amending the act of April 29, 1959. (P. L. 58) entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

Referred to the Committee on Rules.

SENATE BILL No. 447.

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax owners or operators of certain vehicles.

Referred to the Committee on Rules.

SENATE BILL No. 449.

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" pro-

viding for deductions from the amount of moneys paid to counties.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GALLAGHER.

RESOLUTION No. 122

In the House of Representatives, October 15, 1959.

There exists in Bucks County a strike situation between The Bristol Printing Company, publishers of the Levittown Times and Bristol Courier, and Local Union No. 71, International Typographical Union.

This publisher has steadfastly refused to meet any representatives of the Typographical Union in order to discuss the organization problem in his plant.

Twenty-nine of the thirty-four printers in this plant were forced to strike on October 13, 1958, in order to get recognition.

The employer, Mr. Murray Hotchkiss, chose to import strike-breakers of the notorious Bloor Schleppey-Shirley Klein outfit in order to replace his loyal employes, some of whom had been employed for more than twenty years.

The State of New York has seen fit to effect an investigation of the Schleppey-Klein organization, which has been using its strike-breaking efforts in Westchester, New York, disrupting the collective bargaining procedure.

This investigation by a committee appointed by Mr. Isidor Lubin, State Industrial Commissioner of New York, at the request of Governor Harrimann, has arrived at the conclusion that legislation be recommended in order to counteract organized strike-breaking activities by a commercial firm such as the Schleppey-Klein organization, in order to disrupt the orderly procedure of labor-management negotiations; therefore be it

Resolved, That the House of Representatives hereby urges the Honorable David L. Lawrence, Governor of the State of Pennsylvania, to appoint a committee from the Department of Labor and Industry to investigate and report to him on the strike-breaking activities of the Bloor Schleppey-Shirley Klein organization in the Levittown Times and Bristol Courier, in Bucks County, and in any other area of the State where they may be operating.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. FRANK for today.

Mr. Tompkins for Mr. STROUP for the week.

Mr. Tompkins for Mr. HELM for the week because of illness.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 494, 2335 and 2353

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, October 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 494, Printer's No. 164, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' further providing for the assignment of pupils."

DAVID L. LAWRENCE.

October 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2335, Printer's No. 1505, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director."

DAVID L. LAWRENCE.

October 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2353, Printer's No. 1808, entitled "An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended 'An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class' fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service."

DAVID L. LAWRENCE.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 915.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutionalized children in counties of the second class the cost thereof to be paid by the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1703, entitled:

An Act relating to and defining food in the interest of and providing for the protection of the public health the prevention of fraud and deception by prohibiting the manufacture offering for sale exposing for sale or having in possession with intent to sell adulterated misbranded or deleterious foods conferring powers and imposing duties upon State and county officials and providing penalties.

Article I was read.

On the question,

Will the House agree to the article?

Mr. H. H. PERRY offered the following amendments:

Amend Section 11, page 19, line 7, by inserting after "act," "and shall adopt such rules, regulations or tolerances unless he determines that the health or welfare of the citizens of Pennsylvania will be adversely affected by such adoption."

Amend Section 12, page 20, line 3, by inserting after "act," where it appears the second time, "and shall adopt such rules, regulations or tolerances unless he determines that the health or welfare of the citizens of Pennsylvania will be adversely affected by such adoption."

Amend Section 15, page 28, line 18, by inserting after "consumer," "and shall adopt such rules, regulations or tolerances unless he determines that the health or welfare of the citizens of Pennsylvania will be adversely affected by such adoption."

Amend Section 17, page 30, line 4, by inserting after "act," "In the exercise of this authority the Secretary shall adopt the rules, regulations, definitions, tolerances and standards of the Federal government, unless he determines that the health or welfare of the citizens of Pennsylvania will be adversely affected by such adoption."

They were agreed to.

The article was agreed to as amended.

Articles II, III and IV were separately read and agreed to.

Mr. H. H. PERRY offered the following amendment:

Amend the bill, page 45, by inserting after line 18:

Article V

Appointment of Committee, Its

Duties and Report

Section 501. Committee, Report. The Governor is hereby authorized and directed to appoint a committee charged with the responsibility of drafting a plan of cooperative operation between the Department of Agriculture and the Department of Health with regard to the enforcement of food laws and the protection of the health of the citizens of this Commonwealth. The committee shall consist of the Secretary of Health, a member of the House of Representatives, a member of the Senate, and such other members as he shall deem necessary.

The committee shall make recommendations to effectuate its findings. The committee shall file its report with the Governor on or before January 1, 1961.

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. H. H. PERRY offered the following amendments:

Amend the title, page 1, line 6 of the title, by striking out "and" where it appears the second time.

Amend the title, page 1, line 7 of the title, by inserting after "penalties" "and providing for a committee."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2404, entitled:

An Act repealing Section 8 act of July 5 1957 (P. L. 479) entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes" abolishing certain requirements.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 644, Printer's No. 1533 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome and "Office Trailer" and including certain persons buying selling exchanging assembling financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for mobile homes house trailers and office trailers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 983, Printer's No. 1531;

Senate Bill No. 1168, Printer's No. 1414;

Senate Bill No. 1169, Printer's No. 1415;

Senate Bill No. 1170, Printer's No. 1416;

Senate Bill No. 1171, Printer's No. 1417 and

Senate Bill No. 1172, Printer's No. 1418

were passed over at the request of the SPEAKER.

MEMBER OF THE ROYAL CANADIAN MOUNTED POLICE WELCOMED

The SPEAKER. The Chair notes with interest the presence in the Hall of the House of a member of the Royal Canadian Mounted Police, Private Lawrence Hewko, who is the guest of the gentleman from Fayette, Mr. Kornick. The Chair salutes the Royal Mounted.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) changing eligibility requirements for examination.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Frascella,	Luigard,	Rovansek,
Anderson,	Fulmer,	Lutty,	Royer,
Arlene,	Gailey,	McCandless,	Scarcell,
Ashton,	Gallagher,	McCann,	Schuster,
Auker,	Garlock,	McCormack,	Schwartz,
Balthaser,	Gelfand,	McDonald,	Seltzer,
Barton,	George,	McInroy,	Shupnik,
Bell,	Gibb,	McLaughlin,	Silverman,

Blair,	Goldstein,	Machmer,	Snare,
Boles,	Goodrich,	Markley,	Snider,
Bonner,	Gramlich,	Maxwell,	Stank,
Boris,	Guthrie,	Meholchick,	Steckel,
Bower,	Hamilton,	Mihm,	Stevens,
Bowman,	Heavey,	Miller, B. Z.,	Stewart,
Brenninger,	Henzel,	Miller, H. G.,	Stimmel,
Breth,	Hocker,	Mills,	Stone,
Buchanan,	Holliday,	Monroe,	Stoner,
Burns,	Horst,	Muldowney,	Taylor,
Capano,	Iris,	Munley,	Tompkins,
Capitolo,	Isaacs,	Murphy, A. J., Jr.,	Trusio,
Cianfrani,	Jenkins,	Murphy, P. J.,	Ujobal,
Cioffi,	Jim,	Murray, H. P.	Varallo,
Clarke,	Johnson, R.,	Murray, J. J.,	Varnier,
Comer,	Jones, F. R.,	Murray, P. G.,	Verona,
Crossin,	Jones, T. H. W.,	Musto,	Wall,
Curwood,	Jump,	Naugle,	Walsh,
Davis,	Kamyk,	Needham,	Wargo,
Dengler,	Kee,	Nelson,	Weldner,
Dennison,	Kelser,	O'Dell,	Welsh,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wescott,
Donahue,	Kessler,	Odoriso,	Wheeler,
Donaldson,	Knecht,	Ogilvie,	Williams, A. D., Jr.,
Dougherty,	Kooker,	O'Neill,	Williams, E. S.,
Down,	Kornick,	Perry, H. H.,	Willard,
Edwards,	Korns,	Polaski,	Willaredt,
Eshback,	Kovolenko,	Petrosky,	Wilt,
Eshleman,	Kubitsky,	Polen,	Wood,
Ewing,	Lamb,	Prendergast,	Worley,
Farabaugh,	Lee, A. M.,	Price,	Wynd,
Fetterolf,	Lee, K. B.,	Pursley,	Yatron,
Filo,	Leonard,	Reibman,	Yetter,
Fineman,	Light,	Reidenbach,	Zimmerman,
Flynn,	Limper,	Renwick,	Andrews,
Foerster,	Lippincott,	Rigby,	Speaker
Fox,	Lopresti,	Riley,	

NAYS—7

Ellberg,	Holt,	Pashley,	Sherman,
Floyd,	Parlante,	Perry, P. E.,	

NOT VOTING—23

Branca,	Helm,	Moran,	Strausser,
Brown,	Johnson, A. W.,	Mullen,	Stroup,
Cooper,	McKeever,	O'Donnell, J. P.,	Sullivan,
Dennis,	Magee,	Rudisill,	Thompson,
Frank,	Mahan,	Sakulsky,	Whittaker,
Heffner,	Merry,	Schaaf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1572, Printer's No. 1825 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951" approved March 10 1951 (P. L. 28) making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Frascella,	Lutty,	Riley,
Anderson,	Fulmer,	McCandless,	Rovansek,
Ariane,	Galley,	McCann,	Royer,

Ashton,	Gallagher,	McCormack,	Scarcelli,
Auker,	Garlock,	McDonald,	Schuster,
Balthaser,	Gelfand,	McInroy,	Schwartz,
Barton,	George,	McLaughlin,	Seltzer,
Bell,	Gibb,	Machmer,	Sherman,
Blair,	Goldstein,	Markley,	Shupnik,
Boles,	Goodrich,	Maxwell,	Silverman,
Bonner,	Gramlich,	Meholchick,	Snare,
Boris,	Guthrie,	Mihm,	Snider,
Bower,	Hamilton,	Miller, B. Z.,	Stank,
Bowman,	Heavey,	Miller, H. G.,	Steckel,
Brenninger,	Henzel,	Mills,	Stevens,
Breth,	Hocker,	Monroe,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Munley,	Stone,
Capano,	Horst,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Iris,	Murphy, P. J.,	Taylor,
Cianfrani,	Isaacs,	Murray, H. P.,	Tompkins,
Cioffi,	Jenkins,	Murray, J. J.,	Trusio,
Clarke,	Jim,	Murray, P. G.,	Ujobal,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varnier,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	Wall,
Dengler,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Kelser,	Odoriso,	Weldner,
Donahue,	Kernaghan,	Ogilvie,	Welsh,
Donaldson,	Kessler,	O'Neill,	Wescott,
Dougherty,	Knecht,	Parlante,	Wheeler,
Down,	Kooker,	Pashley,	Williams, A. D., Jr.,
Edwards,	Kornick,	Perry, H. H.,	Williams, E. S.,
Ellberg,	Korns,	Perry, P. E.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wilt,
Ewing,	Lamb,	Polen,	Wood,
Farabaugh,	Lee, A. M.,	Prendergast,	Worley,
Fetterolf,	Lee, K. B.,	Price,	Wynd,
Filo,	Leonard,	Pursley,	Yatron,
Fineman,	Light,	Reibman,	Yetter,
Floyd,	Limper,	Reidenbach,	Zimmerman,
Flynn,	Lippincott,	Renwick,	Andrews,
Foerster,	Lopresti,	Rigby,	Speaker
Fox,	Luigard,		

NAYS—0

NOT VOTING—23

Branca,	Helm,	Moran,	Strausser,
Brown,	Johnson, A. W.,	Mullen,	Stroup,
Cooper,	McKeever,	O'Donnell, J. P.,	Sullivan,
Dennis,	Magee,	Rudisill,	Thompson,
Frank,	Mahan,	Sakulsky,	Whittaker,
Heffner,	Merry,	Schaaf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 460, Printer's No. 1818;

House Bill No. 1316, Printer's No. 1811;

House Bill No. 1342, Printer's No. 1820;

Senate Bill No. 146, Printer's No. 1537; and

Senate Bill No. 1107, Printer's No. 1538

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 146, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law," further regulating taxes on the transfer of real property and imposing penalties for the recording of taxed documents without the proper stamps affixed thereto.

On the question,
Shall the bill pass finally?

Mr. ISAACS. Mr. Speaker, I rise in opposition to Senate Bill No. 146.

This bill is an effort to take away the collection of the realty transfer tax from the local tax collector and place it in the hands of the recorder of deeds or some other person located in the county seat. It is another effort to do away with home rule and centralize our government. It further provides that the recorder of deeds, when he collects this tax and makes an error, can be tried on a summary conviction and sentenced to pay a fine of \$25 or serve 15 days in the county prison.

In my own county there may be as many ordinances and resolutions for the collection of the realty transfer tax by the various political subdivisions and by the school boards as there are political subdivisions and school boards. It is placing an imposition on the recorder of deeds in the first place, and I would like to remind the ladies and gentlemen of this House that just a few short weeks ago we passed a salary increase bill for the recorder of deeds in counties from the third to the eighth classes. This bill is opposed by the Pennsylvania State Association of Tax Collectors. The speaker believes it is bad legislation and asks that it be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—14

Agnew,	Capano,	Goldstein	Miller, H. G.,
Auker,	Cioffi,	Hamilton,	Naugle,
Bowman,	Donaldson,	Jones, T. H. W.,	Yetter,
Breth,	Galley,		

NAYS—154

Anderson,	Gallagher,	Luigard,	Schuster,
Arlene,	Garlock,	Lutty,	Seltzer,
Ashton,	Gelfand,	McCandless,	Sherman,
Balthaser,	George,	McCormack,	Shupnik,
Barton,	Gibb,	McInroy,	Silverman,
Bell,	Goodrich,	McLaughlin,	Snare,
Blair,	Gramlich,	Machmer,	Snider,
Boles,	Guthrie,	Markley,	Stank,
Boris,	Heavey,	Meholchick,	Steckel,
Bower,	Henzel,	Miller, B. Z.,	Stevens,
Brenninger,	Hocker,	Monroe,	Stewart,
Buchanan,	Holliday,	Munley,	Stimmel,
Burns,	Holt,	Murphy, A. J., Jr.	Stone,
Capitolo,	Horst,	Murphy, P. J.,	Stoner,
Cianfrani,	Irviss,	Murray, H. P.,	Taylor,
Clarke,	Isaacs,	Murray, P. G.,	Trusio,
Comer,	Jenkins,	Musto,	Ujobal,
Crossin,	Jim,	Needham,	Varallo,
Curwood,	Johnson, R.,	Nelson,	Varnier,
Davis,	Jones, F. R.,	O'Donnell, J. A.,	Verona,
Dengler,	Jump,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Walsh,
Donahue,	Kee,	O'Neil,	Wargo,
Dougherty,	Kelser,	Parlante,	Weidner,
Down,	Kernaghan,	Pashley,	Welsh,
Edwards,	Kessler,	Perry, H. H.,	Wescott,
Ellberg,	Kooker,	Perry, P. E.,	Wheeler,
Eshback,	Kornick,	Petrosky,	Williams, A.D., Jr.,
Eshleman,	Korns,	Willard,	Williams, E. S.,
Ewing,	Kovolenko,	Prendergast,	Willard,
Farabaugh,	Kubitsky,	Price,	Willaredt,
Fetterolf,	Lamb,	Pursley,	Wilt,
Fineman,	Lee, A. M.,	Reibman,	Wood,
Floyd,	Lee, K. B.,	Renwick,	Worley,
Flynn,	Leonard,	Rigby,	Wynd,
Foerster,	Light,	Riley,	Yatron,
Fox,	Limper,	Rovansek,	Zimmerman,
Frascella,	Lippincott,	Royer,	Andrews,
Fulmer,	Lopresti,	Scarcelli,	Speaker

NOT VOTING—40

Bonner,	Johnson, A. W.,	Mills,	Sakulsky,
Branca,	Knecht,	Moran,	Schaaf,
Brown,	McCann,	Muldowney,	Schwartz,
Cooper,	McDonald,	Mullen,	Strausser,
Dennis,	McKeever,	Murray, J. J.,	Stroup,
Dennison,	Magee,	O'Dell,	Sullivan,
Filo,	Mahan,	O'Donnell, J. P.	Thompson,
Frank,	Maxwell,	Polen,	Tompkins,
Heffner,	Merry,	Reidenbach,	Wheeler,
Heim,	Mihm,	Rudisill,	Whittaker,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Frascella,	Lopresti,	Rigby,
Anderson,	Fulmer,	Luigard,	Riley,
Arlene,	Galley,	Lutty,	Rovansek,
Ashton,	Gallagher,	McCandless,	Royer,
Auker,	Garlock,	McCann,	Scarcelli,
Balthaser,	Gelfand,	McCormack,	Schuster,
Barton,	George,	McDonald,	Schwartz,
Bell,	Gibb,	McInroy,	Seltzer,
Blair,	Goldstein,	McLaughlin,	Sherman,
Boles,	Goodrich,	Machmer,	Shupnik,
Bonner,	Gramlich,	Markley,	Silverman,
Boris,	Guthrie,	Maxwell,	Snare,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Mihm,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stevens,
Buchanan,	Holliday,	Mills,	Stewart,
Burns,	Holt,	Monroe,	Stimmel,
Capano,	Horst,	Muldowney,	Stone,
Capitolo,	Irviss,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Taylor,
Clarke,	Jenkins,	Murphy, P. J.,	Tompkins,
Comer,	Jim,	Murray, H. P.	Trusio,
Crossin,	Johnson, R.,	Murray, J. J.,	Ujobal,
Curwood,	Jones, F. R.,	Murray, P. G.,	Varallo,
Davis,	Curwood,	Musto,	Varnier,
Dengler,	Davis,	Naugle,	Verona,
Dewler,	Dengler,	Needham,	Wall,
Dennison,	Kee,	Nelson,	Walsh,
Devlin,	Kelser,	O'Dell,	Wargo,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Weidner,
Donaldson,	Kessler,	Odorisio,	Welsh,
Dougherty,	Knecht,	Ogilvie,	Wescott,
Down,	Kooker,	O'Neil,	Wheeler,
Edwards,	Kornick,	Parlante,	Williams, A.D., Jr.,
Ellberg,	Korns,	Pashley,	Williams, E. S.,
Eshback,	Kovolenko,	Perry, H. H.,	Willard,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Fineman,	Leonard,	Prendergast,	Wynd,
Filo,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Lippincott,	Reidenbach,	Zimmerman,
Foerster,	Reibman,	Renwick,	Andrews,
Fox,			Speaker

NAYS—0

NOT VOTING—23

Branca,	Helm,	Moran,	Strausser,
Brown,	Johnson, A. W.,	Mullen,	Stroup,
Cooper,	McKeever,	O'Donnell, J. P.,	Sullivan,
Dennis,	Magee,	Rudisill,	Thompson,
Frank,	Mahan,	Sakulsky,	Whittaker,
Heffner,	Merry,	Schaaf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE POSTPONED TIME EXTENDED ON BILL

Mr. A. J. MURPHY asked and obtained unanimous consent to extend the time five days on House Bill No. 459, Printer's No. 1498, on page 6 of today's calendar, bills on final passager postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LOPRESTI.

The House resumed the consideration on final passage of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

RECONSIDERATION OF VOTE

Mr. GAILEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPPEAKER. The amendments will be read by the

THE SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1001), page 4, line 17, by inserting after "of": "three-fourths of."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 723, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115)

changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Agnew,	Fulmer,	Lulgard,	Reibman,
Anderson,	Galley,	Lutty,	Reidenbach,
Arlene,	Gallagher,	McCann,	Renwick,
Balthaser,	Garlock,	McCormack,	Rigby,
Barton,	Gelfand,	McLaughlin,	Riley,
Bell,	Goldstein,	Machmer,	Rovanssek,
Boles,	Hamilton,	Maxwell,	Scarcell,
Bonner,	Heavey,	Meholchick,	Schaaf,
Brenninger,	Henzel,	Mihm,	Schuster,
Breth,	Holliday,	Miller, B. Z.,	Schwartz,
Buchanan,	Holt,	Mills,	Sherman,
Burns,	Irviss,	Monroe,	Shupnik,
Capano,	Isaacs,	Munley,	Silverman,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Snider,
Cianfrani,	Jim,	Murray, H. P.	Stank,
Cioffi,	Johnson, R.,	Murray, J. J.,	Stevens,
Clarke,	Jones, F. R.,	Murphy, P. J.,	Stewart,
Comer,	Jones, T. H. W.,	Musto,	Stone,
Crossin,	Jump,	Needham,	Taylor,
Curwood,	Kamyk,	Nelson,	Trusio,
Dengler,	Kee,	O'Donnell, J. A.,	Varallo,
Devlin,	Kernaghan,	O'Dorisio,	Verona,
Donahue,	Kessler,	O'Neil,	Wargo,
Dougherty,	Kornick,	Parlante,	Welsh,
Edwards,	Kovolenko,	Pashley,	Wescott,
Eilberg,	Kubitsky,	Perry, H. H.,	Wheeler,
Farabaugh,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Fetterolf,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Filo,	Lee, K. B.,	Polaski,	Willaredt,
Fineman,	Leonard,	Polen,	Wynd,
Floyd,	Limper,	Prendergast,	Yatron,
Flynn,	Lippincott,	Price,	Yetter,
Foerster,	Lopresti,	Pursley,	Andrews,
Frascella,			Speaker

NAYS—48

Ashton,	George,	McInroy,	Stimmel,
Auker,	Gibb,	Mahan,	Stoner,
Blair,	Goodrich,	Markley,	Ujohal,
Boris,	Gramlich,	Miller, H. G.,	Varnier,
Bowman,	Guthrie,	Murray, P. G.,	Wall,
Davis,	Hocker,	Naugle,	Walsh,
Donaldson,	Horst,	O'Dell,	Weidner,
Down,	Kelser,	Ogilvie,	Willard,
Eshback,	Kooker,	Royer,	Wilt,
Eshleman,	Korns,	Seltzer,	Wood,
Ewing,	Light,	Snare,	Worley,
Fox,	McCandless,	Steckel,	Zimmerman,

NOT VOTING—27

Bower,	Heffner,	Merry,	Strausser,
Branca,	Helm,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Muldowney,	Sullivan,
Cooper,	Knecht,	Mullen,	Thompson,
Dennis,	McDonald,	O'Donnell, J. P.,	Tompkins,
Dennison,	McKeever,	Rudisill,	Whittaker,
Frank,	Magee,	Sakulsky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure

by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" by removing certain restrictions on the application of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Anderson,	Galley,	Machmer,	Renwick,
Arlene,	Gallagher,	Maxwell,	Riley,
Balthaser,	Garlock,	Meholchick,	Scarcelli,
Boles,	Gelfand,	Mihm,	Schaaf,
Bower,	Hamilton,	Mills,	Schuster,
Breth,	Heavey,	Monroe,	Schwartz,
Buchanan,	Holt,	Munley,	Sherman,
Burns,	Irviss,	Murphy, A. J., Jr.,	Shupnik,
Capitolo,	Jenkins,	Murphy, P. J.,	Silverman,
Cianfrani,	Jim,	Murray, J. J.,	Snider,
Cioffi,	Jones, F. R.,	Musto,	Stank,
Clarke,	Kamyk,	Needham,	Stevens,
Comer,	Kee,	Nelson,	Stone,
Crossin,	Kornick,	O'Donnell, J. A.,	Taylor,
Curwood,	Kovolenko,	O'Neil,	Trusio,
Dengler,	Lamb,	Parlante,	Varallo,
Devlin,	Leonard,	Pashley,	Verona,
Dougherty,	Limper,	Perry, H. H.,	Walsh,
Ellberg,	Lopresti,	Perry, P. E.,	Wargo,
Farabaugh,	Luigard,	Petrosky,	Wheeler,
Filo,	Lutty,	Poiaski,	Worley,
Fineman,	McCann,	Polen,	Yatron,
Floyd,	McCormack,	Prendergast,	Yetter,
Foerster,	McDonald,	Reibman,	Andrews,
Frascella,	McLaughlin,	Reidenbach,	Speaker

NAYS—84

Agnew,	Fox,	Kubitsky,	Royer,
Ashton,	Fulmer,	Lee, A. M.,	Seltzer,
Auker,	George,	Lee, K. B.,	Snare,
Barton,	Gibb,	Light,	Steckel,
Bell,	Goldstein,	Lippincott,	Stewart,
Blair,	Goodrich,	McCandless,	Stoner,
Boris,	Gramlich,	McInroy,	Tompkins,
Bowman,	Guthrie,	Mahan,	Ujobal,
Brenninger,	Henzel,	Markley,	Varnier,
Capano,	Hocker,	Miller, B. Z.,	Wall,
Davis,	Holliday,	Miller, H. G.,	Weldner,
Dennison,	Horst,	Murray, H. P.,	Welsh,
Donahue,	Isaacs,	Murray, P. G.,	Wescott,
Donaldson,	Johnson, R.,	Naugle,	Williams, A. D., Jr.,
Down,	Jones, T. H. W.,	O'Dell,	Williams, E. S.,
Edwards,	Jump,	Odorisio,	Willard,
Eshback,	Kelser,	Ogilvie,	Willaredt,
Eshleman,	Kernaghan,	Price,	Wilt,
Ewing,	Kessler,	Pursley,	Wood,
Fetterolf,	Kooker,	Rigby,	Wynd,
Flynn,	Korns,	Rovanssek,	Zimmerman,

NOT VOTING—25

Bonner,	Helm,	Moran,	Stimmel,
Branca,	Johnson, A. W.,	Muldowney,	Strusser,
Brown,	Knecht,	Mullen,	Stroup,
Cooper,	McKeever,	O'Donnell, J. P.,	Sullivan,
Dennis,	Magee,	Rudisill,	Thompson,
Frank,	Merry,	Sakulsky,	Whittaker,
Heffner,			

The majority required by the Constitution having voted

in the negative, the question was determined in the negative and the bill falls.

Mr. LOPRESTI IN THE CHAIR.

BILL PASSED OVER

There being no objection

House Bill No. 818, Printer's No. 1790;

was passed over at the request of the SPEAKER pro tempore.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries * * * and making an appropriation therefor authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Frascella,	Luigard,	Rigby,
Anderson,	Fulmer,	Lutty,	Riley,
Arlene,	Galley,	McCandless,	Rovanssek,
Auker,	Gallagher,	McCann,	Royer,
Balthaser,	Garlock,	McCormack,	Scarcelli,
Barton,	Gelfand,	McDonald,	Schaaf,
Bell,	George,	McInroy,	Schuster,
Blair,	Gibb,	McLaughlin,	Schwartz,
Boles,	Goldstein,	Machmer,	Seltzer,
Bonner,	Goodrich,	Mahan,	Sherman,
Boris,	Gramlich,	Markley,	Shupnik,
Bower,	Guthrie,	Maxwell,	Silverman,
Bowman,	Hamilton,	Meholchick,	Snare,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Henzel,	Miller, B. Z.,	Stimmel,
Buchanan,	Hocker,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Steckel,
Capano,	Holt,	Monroe,	Stevens,
Capitolo,	Horst,	Muldowney,	Stewart,
Cianfrani,	Irviss,	Munley,	Stone,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Curwood,	Jones, F. R.,	Murray, P. G.,	Ujobal,
Davis,	Jones, T. H. W.,	Musto,	Varallo,
Dengler,	Jump,	Naugle,	Varnier,
Dennison,	Kamyk,	Needham,	Verona,
Devlin,	Kee,	Nelson,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Weldner,
Down,	Knecht,	O'Neil,	Welsh,
Edwards,	Kooker,	Parlante,	Wescott,
Ellberg,	Kornick,	Pashley,	Wheeler,
Eshback,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kubitsky,	Petrosky,	Willaredt,

Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti,	Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reldenbach, Renwick,	Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—3

Ashton,	O'Dell,	Willard,
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NOT VOTING—21

Branca, Brown, Cooper, Dennis, Frank, Heffner,	Helm, Johnson, A. W., McKeever, Magee, Merry,	Moran, Mullen, O'Donnell, J. P., Rudisill, Sakulsky,	Strausser, Stroup, Sullivan, Thompson, Whittaker,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as amended, Senate Sine Die Resolution.

Mr. McCANN asked and obtained unanimous consent for the immediate consideration of the Senate Sine Die resolution.

The resolution was read by the Clerk as follows:

SENATE MESSAGE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 26, 1959.

Resolved, (the House of Representatives concurring) That this regular session of the General Assembly adjourn Sine-Die on (Friday, September 28) Monday, October 26, 1959 at (12:00 o'clock noon) 6 p.m. Eastern Standard Time.

Ordered, that the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Green, Mr. McCann.

The SPEAKER pro tempore. Will the gentleman from Green permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand there is a resolution coming over from the Senate which will provide that when we adjourn this week that we reconvene on November 9?

Mr. McCANN. Mr. Speaker, I was informed a few minutes ago that a resolution is coming over from the Senate stating that when we adjourn this week, the Senate and the House concurring, we reconvene on Monday, November 9; I believe that is correct.

Mr. TOMPKINS. Mr. Speaker, we are in conference on the general appropriation bill and several other appropriation bills, and we are presently deadlocked over several issues. We have no indication as of right now that those deadlocks will be broken in time to be

able to accomplish this purpose. Am I right in that assumption, Mr. Speaker?

Mr. McCANN. You are if you do not want to break them, but if you do, and if the Republican Senate Caucus would agree on those major points which will be taken to them or discussed with them, then I believe we can agree that all 63 bills would be agreed upon, including the general appropriation bill. By working Tuesday, Wednesday, Thursday, Friday, Saturday, and Monday we would have seven legislative days, or six more days, and anything in this House or the Senate could be acted upon from start to finish.

Mr. TOMPKINS. Mr. Speaker, that is a very good theoretical assumption, but as I understand it the Senate must take up further proposals coming from the Conference Committee, and we have no knowledge as to what action they might take. Are we not sort of putting the cart before the horse by saying that we will fix a sine die adjournment without knowing whether or not it is physically, mechanically or otherwise possible to do so?

Mr. McCANN. Mr. Speaker, certainly it is physically and mechanically possible to do that, providing that is what they want to do. There is no question that the days are there. I believe all of the Members are more than willing to work the days required to accomplish this, with only the one day off, Sunday, to attend church services and rest.

The sine die will be no later than Monday, including all of the major items we have been discussing for over two weeks.

Mr. TOMPKINS. We have been discussing the major items on the appropriations, but are there not other major pieces of legislation, such as unemployment compensation, our schools and other items, which must still be taken care of?

Mr. McCANN. That is correct, Mr. Speaker, there are, and those items are also included in those which must be taken care of in the legislative days.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

In asking a roll call on this resolution I am asking the Members on this side of the House to vote no.

Mr. McCANN. Mr. Speaker, I am asking the Members on this side of the House to support the resolution to adjourn sine die, keeping in mind that there are sufficient legislative days to handle every one of these problems. I believe if we want to get down and really settle this business that is before us, we can settle it before election instead of after election.

We are faced with more than one problem. I want the Members of this House to carefully note that last week, when we were discussing should the sine die resolution fail, when could we come back here? The hotels of this city informed me that, for example, the week of November 16 they cannot provide any hotel rooms for any of us on Monday or Tuesday. The earliest would be Wednesday, since the State Council of Republican Women will be having their state-wide convention in the city of Harrisburg.

We have worked long and hard on the Conference Committee. The hours have been strenuous, I do not mind saying. Many nights it has been long past midnight. We

are coming closer every day to agreement on points; if we continue to press we can agree in those days.

Mr. TOMPKINS. Mr. Speaker, I recognize many of the things the Majority Leader has said, but we realize from past experience that a crowding of the closing days, such as is being suggested in this resolution, is a mechanical and a physical impossibility. We look upon this resolution at this time, under the circumstances, as being entirely a political gesture.

Mr. HOLLIDAY. Mr. Speaker, I have before me the evening paper which says the

State Legislature Calls for Recess.

Both houses of the Legislature will work through Wednesday and then recess until November 9, it was indicated today.

Senator Majority Leader James S. Berger said he and House Majority Leader Stephen McCann had notified their respective chambers of this week's three-day sitting, which knocked out McCann's target for final adjournment Saturday.

I do not know whether you would call this steam roller tactics for adjournment or not, but Mr. McCann, the gentleman from Green County, just said that another resolution was coming over from the Senate. I also understand the Senate has recessed and will not be back for two weeks. Why are we voting on a resolution now to adjourn October 28, or whatever day it was, when another resolution is coming over?

Mr. McCANN. Mr. Speaker, in reply to the gentleman from Blair County, every week we vote on a resolution in this House, and have from the start of the Session. At no time this last week have you heard me state, either publicly or privately, that this House would only work three days this week. At no time has anyone been able to say that they have talked to me and I said this House would only operate three days this week. I do not care what was in the newspaper story. I did not write it and I did not say it. But each week we do act on the resolution that is started in the Senate which deals with the operation of the House and the Senate. It is a weekly, normal procedure. This resolution I am presenting is the sine die concurrent resolution which was passed by the Senate and sent to the House under date of September 21, with the sine die date of September 28.

Mr. AUKER. Mr. Speaker, ordinarily I would be inclined to go along with this resolution, but there is one particular matter on which no one yet has informed me what is going to be the outcome, and that is the educational problem and aid to the school districts. If that is going to be solved, no one has told me anything about it, or how. Before I vote for any sine die resolution I want to know what is going to be done and how it is going to be done. That is the reason I will have to vote against the resolution.

On the question recurring,

Will the House concur in the resolution of the Senate?

The yeas and nays were required by Messrs. TOMPKINS and HOCKER and were as follows:

YEAS—91

Anderson,
Arlene,
Balthaser,
Botes,

Frascella,
Galley,
Gallagher,
Garlock,

McCormack,
McLaughlin,
Machmer,
Maxwell,

Renwick,
Riley,
Rovansck,
Scarcelli,

Breth,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Devlin,
Dougherty,
Ellberg,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,

Gelfand,
Hamilton,
Heavey,
Holt,
Irvls,
Jenkins,
Jim,
Jones, F. R.,
Kamyk,
Kornick,
Kovolenko,
Lamb,
Lee, K. B.,
Leonard,
Limper,
Lopresti,
Luigard,
Lutty,
McCann,

Meholchick,
Mihm,
Monroe,
Munley,
Murray, J. J.,
Musto,
Needham,
Nelson,
O'Donnell, J. A.,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Reibman,
Schaaf,
Schuster,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Taylor,
Trusio,
Varallo,
Verona,
Walsh,
Wargo,
Welsh,
Wheeler,
Yatron,
Yetter,
Andrews,
Speaker

NAYS—88

Agnew,
Ashton,
Auker,
Barton,
Bell,
Blair,
Boris,
Bower,
Bowman,
Brenninger,
Buchanan,
Davis,
Dengler,
Dennison,
Donahue,
Donaldson,
Down,
Edwards,
Eshback,
Eshleman,
Ewing,
Fetterolf,

Fox,
Fulmer,
George,
Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Henzel,
Hocker,
Holliday,
Horst,
Isaacs,
Johnson, R.,
Jones, T. H. W.,
Jump,
Kee,
Kelsner,
Kernaghan,
Kessler,
Kooker,
Korns,

Kubitsky,
Lee, A. M.,
Light,
Lippincott,
McCandless,
McInroy,
Mahan,
Markley,
Miller, B. Z.,
Miller, H. G.,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, P. G.,
Naugle,
O'Dell,
Odorisio,
Ogilvie,
Price,
Pursley,
Rigby,
Seitzer,
Snare,
Steckel,
Stevens,
Stewart,
Stimmel,
Stone,
Stoner,
Tompkins,
Ujobal,
Varner,
Wall,
Waldner,
Wescott,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wilt,
Wood,
Worley,
Wynd,
Zimmerman,

NOT VOTING—29

Bonner,
Branca,
Brown,
Cooper,
Dennis,
Frank,
Heffner,
Helm,

Johnson, A. W.,
Knecht,
McDonald,
McKeever,
Magee,
Merry,
Mills,
Moran,
Muldowney,
Mullen,
O'Donnell, J. P.,
Reidenbach,
Royer,
Rudistill,

Sakulsky,
Schwartz,
Strausser,
Stroup,
Sullivan,
Thompson,
Whittaker,

So the question was determined in the affirmative and the resolution was adopted.

BILL INTRODUCED AND REFERRED

By Messrs. FINEMAN, A. W. JOHNSON and McCANN.
HOUSE BILL No. 2430.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), redefining documents to exclude certain repossessions following defaults in purchase obligations.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 853.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgage or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

Referred to the Committee on Rules.

SENATE BILL No. 1121.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DAVIS and GRAMLICH.

RESOLUTION No. 123.

In the House of Representatives, October 19, 1959.

The Chamber of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania is one of the most beautiful chambers of major dimensions in America. It enjoys more than a recognizable kinship to the superlative beauty of the reception hall in the Library of Congress in Washington, D. C. The House Chamber is indeed a classic and supremely cherished possession of the people of the Commonwealth.

This fact comes to the foreground now that the House of Representatives has initiated a positive approach to the project of installing an electric vote-recording system—a definitely progressive change, the need and utility of which seem overwhelmingly proven.

Clearly it is paramount that in effecting this change that the esthetic quality of the House Chamber does not suffer; therefore, be it

Resolved, That the vote-recording system plans be tailored as necessary to preserve without the slightest diminution the esthetic quality of the House Chamber; and, be it further

Resolved, That the State Art Commission is requested to consult with the special House Committee of Evaluation appointed by the Speaker under House Resolution, Serial No. 114, and to render criticism as to the esthetic effects of various plans under consideration; and, be it further

Resolved, That the Chief Clerk of the House take no steps toward the purchase or lease or installation of an electric-vote recording system until the House membership has been given opportunity to examine the plans, and until such plans have been favorably and specifically voted upon by the House of Representatives.

Referred to the Committee on Rules.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1198 on page 21 of today's calendar, bills on concurrence in Senate amendments.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1198.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative

officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further prescribing the powers and duties of the Department of Mines and Industries in relation to abandoned coal mines.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by striking out after the word "mines" the following: "to dewater abandoned coal mines."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Frascella,	Lutty	Riley,
Anderson,	Fulmer,	McCandless,	Rovansek,
Arlene,	Galley,	McCann,	Royer,
Ashton,	Gallagher,	McCormack,	Scarcelli,
Auker,	Garlock,	McDonald,	Schaaf,
Balthaser,	Gelfand,	McInroy,	Schuster,
Barton,	George,	McLaughlin,	Schwartz,
Bell,	Gibb,	Machmer,	Seltzer,
Blair,	Goldstein,	Mahan,	Sherman,
Boles,	Goodrich,	Markley,	Shupnik,
Bonner,	Gramlich,	Maxwell,	Silverman,
Boris,	Guthrie,	Meholchick,	Snare,
Bower,	Hamilton,	Mihm,	Snider,
Bowman,	Heavey,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Breth,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Murray, P. G.,	Ujobai,
Crossin,	Jones, F. R.,	Musto,	Varallo,
Curwood,	Jones, T. H. W.,	Naugle,	Varner,
Davis,	Jump,	Needham,	Verona,
Dengler,	Kamyk,	Nelson,	Wall,
Dennison,	Kee,	O'Dell,	Wargo,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Weidner,
Donaldson,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Wheeler,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshback,	Kovolenko,	Perry, P. E.,	Willard,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Ewing,	Lamb,	Polaski,	Wilt,
Farabaugh,	Lee, A. M.,	Polen,	Wood,
Fetterolf,	Lee, K. B.,	Prendergast,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Light,	Pursley,	Yatron,
Floyd,	Limper,	Reibman,	Yetter,
Flynn,	Lippincott,	Reidenbach,	Zimmerman,
Foerster,	Lopresti,	Renwick,	Andrews,
Fox,	Luigard,	Rigby,	Speaker

NAYS—0

NOT VOTING—21

Branca,	Helm,	Moran,	Strausser,
Brown,	Johnson, A. W.,	Mullen,	Stroup,
Cooper,	McKeever,	O'Donnell, J. P.	Sullivan,

Dennis,
Frank,
Heffner,

Magee,
Merry,

Rudisill,
Sakulsky,

Thompson,
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2218 on page 21 of today's calendar, bills in concurrence in Senate amendments.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2218.

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the word "biennium" the following: "and executive authorization made according to law."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2319.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the sale of borough owned electric light plans in certain counties and the effect thereof.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

Th SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by striking out after the word "plans" the words "in certain counties;" section 1, page 2, line 2, by striking out after the word "Works" the word "Any" and after the word "borough" the words "in a county of the second class."

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. CANN. Mr. Speaker, I move that Senate Bill No. 436 Printer's No. 1355, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NON CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 436.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 436.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that Senate Bill No. 864 Printer's No. 1419 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 864.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill 864.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 762, Printer's No. 1647 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 762.

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has nonconcurred.

Mr. McCANN. Mr. Speaker, I move that the House insist upon it non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 762

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. KORNICK, YETTER and HORST.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 959, Printer's No. 1655 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGES

SENATE INSISTS ON AMENDMENTS NON-CON- CURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 959

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. BRETH, CURWOOD and STONER.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

DISCHARGING COMMITTEE ON HOUSE BILL No. 61

Mr. GOLDSTEIN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, October 19, 1959.
Resolved, That House Bill No. 61, entitled "A Joint Resolution proposing an amendment to article five, section eleven of the Constitution of the Commonwealth of Pennsylvania, providing for aldermanic districts and the election of aldermen and constables in Allegheny County, providing for compensation, jurisdiction and powers of Aldermen and constables in Allegheny County and requiring aldermen in Allegheny County to be learned in the law," having been referred to the Committee on Cities—Counties Second and Second Class A on January 20, 1959, and the committee not having reported the same to the House for a period of over 15 days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. GOLDSTEIN. Mr. Speaker, I ask consent to explain the purpose of this bill so that the Members on both sides of the aisle can make their determination with a full-fact situation before them.

I do not intend to debate the merits of the bill because I am prohibited from so doing under the Rules.

House Bill No. 61—

The SPEAKER pro tempore. Will the gentleman yield?

The gentleman is privileged to discuss the resolution but not the merits of the bill itself.

Mr. GOLDSTEIN. I believe I am entitled to explain what the bill provides for, not to state it or discuss the merits.

The SPEAKER pro tempore. The gentleman will confine himself to the Rules.

The Rule is, of course, that the bill cannot be discussed. The resolution may be discussed.

Mr. GOLDSTEIN. I am confining myself to the Rules by stating that House Bill No. 61 was referred to the Committee on Cities—Counties Second Class and Second Class A, on January 20, 1959. Tomorrow will be its ninth monthly anniversary of pickling. During this time, we have considered in 24 hours, bills relating to Great Danes, pay raises and pensions and other matters of little import to the general public.

This bill affects 1.5 million people in the county of Allegheny and provides for reformation of the minor judiciary in our county, a matter which has received the approval of all outstanding citizens. This bill is in line with the recommendations of the Constitution Revision Commission which recommended the elimination of the fee office of constables and aldermen in this state. It applies only to the county of Allegheny.

All I want is a discharge of the Committee so that the merits and demerits of this bill can be discussed openly and so that the people who favor it can give the argu-

ments for it and those who do not desire it can give the arguments against it.

I am asking for a slow roll call and a complete slow roll call.

Mr. TOMPKINS. Mr. Speaker, I had no knowledge that this resolution was going to be presented to this House this afternoon. The Republican party, ever since I have been a Member of this body, has consistently refused to go along with the discharge of any committee in consideration of bills. I have had nothing presented to me to change that position at this time.

I, therefore, am asking all the Members on this side of the House, because of that long-established policy, not to disturb the functioning of our regular standing Committees of this House to vote against this resolution.

Mr. GOLDSTEIN. Mr. Speaker, I have never been bound by that so-called historical rule. I think that the Republican party is mistaken and delinquent in taking this attitude, and if I cannot get any votes on my side, I hope some strong men on the Democratic side who have often introduced discharge resolutions will give me an opportunity to have this bill debated on the floor of the House.

Mr. WORLEY. Mr. Speaker, as a former member of the minor judiciary, I second this request for the improvement of the minor judiciary, which improvement is very badly needed in this Commonwealth.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Goldstein?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. McCORMACK. Would the gentleman mind explaining just what this bill does?

The SPEAKER pro tempore. The gentleman cannot do that under the Rules.

Mr. GOLDSTEIN. I would love to, and if you discharge the Committee, you will find out more about it on the floor of the House.

The SPEAKER pro tempore. By way of explanation, the gentleman may have the bill read for the information of the House, but the merits of it cannot be discussed.

Mr. GOLDSTEIN. Well, I will not read the bill in detail, but I will give you an analysis of the bill, that is all.

Mr. McCORMACK. Mr. Speaker, this is a constitutional amendment. If it is not too long, I certainly would like to hear it read, but if it is more than a page—

The SPEAKER pro tempore. The Chair will have the bill read for the information of the House.

Mr. GOLDSTEIN. Mr. Speaker, the bill is in pink print and, of course, not available immediately.

Mr. Speaker, let me read the title of the bill to you and I believe that will satisfy the members so they will know exactly what the contents are.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. GOLDSTEIN. Number 61.

A Joint Resolution proposing an amendment to Article 5, Section 11 of the Constitution of the Commonwealth of Pennsylvania providing for aldermanic districts and the election of aldermen and constables in Allegheny County providing for

compensation jurisdiction and powers of aldermen and constables in Allegheny County and requiring aldermen in Allegheny County to be learned in the law.

Referred to the Committee on Cities—Counties Second and Second Class A, January 20.

Mr. McCANN. Mr. Speaker, I know this is not proper at this time but we are trying to work toward an hour of adjournment tonight, and the sooner we get this roll call over there are some other items to consider. I would appreciate the cooperation of all the Members of the House to carry the roll call through. It is only delaying the procedure because we have many things to be done and tomorrow there is going to be an eight hour working day, so you will have lots of time.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. GOLDSTEIN and HOCKER and were as follows:

YEAS—10

Agnew, Donaldson, Goldstein	Hamilton, McCormack, Rigby,	Stewart, Williams, A.D., Jr.,	Worley, Andrews, Speaker
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NAYS—1662

Anderson, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Boris, Bower, Bowman, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Flo, Fineman, Floyd, Flynn,	Foerster, Fox, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, Gibb, Gibb, Goodrich, Gramlich, Guthrie, Heavey, Henzel, Hocker, Holliday, Holt, Irvls, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Flynn,	Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McDonald, McInroy, McLaughlin, Machmer, Mahan, Markley, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Monroe, Munroe, Munley, Murphy, A. J., Jr. Murray, H. P., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odorliso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Pole, Prendergast, Price, Pursley,	Reibman, Renwick, Riley, Rovanssek, Royer, Scarcelli, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stimmel, Stone, Stoner, Taylor, Tompkins, Trusio, Ujohal, Varallo, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman,
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NOT VOTING—36

Arlene, Bonner, Bratca, Brown, Cooper, Dennis, Ewing, Frank, George,	Heffner, Helm, Horst, Johnson, A. W., Jones, T. H. W., Knecht, McKeever, Magee, Maxwell,	Merry, Mills, Moran, Muldowney, Mullen, Murphy, P. J., Murray, J. J., O'Donnell, J. P. Reidenbach, Rudisill,	Sakulsky, Schaaf, Schwartz, Strausser, Stroup, Sullivan, Thompson, Varner, Welsh, Whittaker,
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So the question was determined in the negative and the resolution was not adopted.

REASON FOR VOTE

Mr. ANDREWS. Mr. Speaker, I voted to discharge the committee because the bill being a Constitutional amendment the issue would have been referred to the people for a final decision.

RECONSIDERATION OF VOTE ON HOUSE
BILL No. 2399

Mr. LIPPINCOTT. Mr. Speaker, I move that the vote by which House Bill No. 2399, Printer's No. 1764, entitled:

"An Act amending 'The Vehicle Code' approved April 29, 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors."

was defeated on Final Passage Wednesday, October 14, 1959, be reconsidered.

Mr. OGILVIE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware Mr. Lippincott vote on the final passage of this bill?

Mr. LIPPINCOTT. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Dauphin, Mr. Ogilvie vote on the final passage of this bill?

Mr. OGILVIE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LIPPINCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "throwing": "or dumping."

Amend Sec. 1 (Sec. 1025), page 2, line 4, by inserting after "Throwing": "or Dumping."

Amend Sec. 1 (Sec. 1025), page 2, line 5, by inserting after "throw": "dump."

Amend Sec. 1 (Sec. 1025), page 2, line 5, by inserting after "thrown": "or dumped."

Amend Sec. 1 (Sec. 1025), page 2, line 5, by inserting after "tractor": "on, upon or adjacent to a highway."

Amend Sec. 1 (Sec. 1025), page 2, line 6, by striking out the brackets before and after "rubbish" and by striking out the brackets before and after "or cardboard."

Amend Sec. 1 (Sec. 1025), page 2, line 8, by inserting after "throwing": "or dumping."

Amend Sec. 1 (Sec. 1025), page 2, line 9, by striking out the brackets before and after "rubbish" and by striking out the brackets before and after "or cardboard."

Amend Sec. 1 (Sec. 1025), page 2, line 10, by inserting after "thrown": "dumped."

Amend Sec. 1 (Sec. 1025), page 2, line 11, by inserting after "thrown": "or dumped."

Amend Sec. 1 (Sec. 1025), page 2, line 14, by inserting after "throw": "or dump."

Amend Sec. 1 (Sec. 1025), page 2, line 15, by striking out the brackets before and after "rubbish" and by striking out the brackets before and after "or cardboard."

Amend Sec. 1 (Sec. 1025), page 2, line 17, by inserting after "throwing": "or dumping."

Amend Sec. 1 (Sec. 1025), page 3, line 4, by striking out the bracket before "shall."

Amend Sec. 1 (Sec. 1025), page 3, line 5, by inserting brackets before and after "twenty-five dollars (\$25.00)" and inserting immediately thereafter "not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00)."

Amend Sec. 1 (Sec. 1025), page 3, lines 9 to 12, by striking out "[] is guilty of a misde—" in line 9, all of lines 10 and to 12.

Amend Sec. 2, page 3, lines 13 to 20; page 4, lines 1 to 20, page 5, lines 1 to 7, by striking out all of said lines.

Amend Sec. 3, page 5, line 8, by striking out "3" and inserting "2."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL INTRODUCED AND REFERRED

By Messrs. CURWOOD, MIHM and BOWER.

HOUSE BILL No. 2431.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78), further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2422, entitled:

An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3), correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682)

entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business, prosperity and economic welfare of the Commonwealth defining the powers, restrictions, limitations, purposes and functions of such corporations; conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution No. 93.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 120.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution, Serial No. 116.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2422, entitled:

An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3), correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of

Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement * * * defining unlawful acts and acts not unlawful and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. SILVERMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 11, page 11, by inserting after line 20: "(i) Nothing in this act shall be construed to apply to the qualifications of any person who testifies in any proceeding to determine the rates of a public utility subject to the jurisdiction of the Pennsylvania Public Utility Commission."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2177, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. O'NEIL. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 2, line 6, by striking out "before the final vote" and inserting "and be made available to them before any action."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer."

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

The motion was agreed to.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that Senate Bill No. 868, Printer's No. 1468 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 868

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the

amendments made and insisted upon by the House of Representatives to Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

And has appointed Messrs. PROPERT, PECHAN and SILVERT a Committee of Conference to confer with a similar committee on the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 868 and that a Committee on Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 868

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. FRASCELLA, DEVLIN and A. M. LEE.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1861, Printer's No. 1707 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. GELFAND, MAXWELL and Mrs. MARKLEY.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION INTRODUCED AND REFERRED

By Mr. CURWOOD. (Concurrent) RESOLUTION No. 124.

In the House of Representatives, October 19, 1959.

The Susquehanna River watershed in Maryland and Pennsylvania was once the spawning ground for millions of migratory fish.

The placing of dams across the Susquehanna River in Pennsylvania and Maryland, without providing ways or devices whereby migratory fish could ascend the main-stream and tributaries to spawn, has effectively removed migratory fish from the watershed.

It is considered desirable to restore the natural life cycle for warm water fish in the Susquehanna River watershed.

The cooperation of the sister states of Maryland and Pennsylvania is need to bring migratory fish back into the watershed; therefore, be it

Resolved (the Senate concurring), That it is the general sense of the House and Senate of the Legislature of Pennsylvania that fishways or other devices of similar purport ought to be installed at the dams in the Susquehanna River to enable migratory fish to ascend the main-stream and tributaries, thus restoring a natural food base of the residents of the watershed and restoring the streams of the watershed as natural breeding grounds for food and game fish, and further, that this general sense of the Pennsylvania Legislature be represented to the Legislature of Maryland together with the desire and request of the Pennsylvania Legislature that the Legislature of Maryland similarly record its sense that the natural life cycle for warm water fish in the Susquehanna River watershed in Maryland and Pennsylvania ought to be restored by installation of fishways or comparable devices at the dams in the Susquehanna River; and, be it further

Resolved, That copies of this resolution be forwarded to the presiding officer of each House of the Legislature of Maryland.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 823.

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1179.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for powers responsibilities duties and limitations of the Governor * * * including the Pennsylvania Air National Guard within the provisions of this act.

HOUSE BILL No. 2123.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

HOUSE BILL No. 2264.

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

HOUSE BILL No. 2266.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing the applicability of the act and the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 480.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring the erection of certain warning signs on State highways.

HOUSE BILL No. 540.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the revision of territory upon abolition of an independent school district.

HOUSE BILL No. 717.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class.

HOUSE BILL No. 2134.

An Act amending the act of June 11, 1879 (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth" increasing the compensation of certain coroner's jurors.

HOUSE BILL No. 2265.

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law" creating and imposing duties on mine safety committees.

HOUSE BILL No. 2271.

An Act amending the act of May 9, 1889 (P. L. 154) entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such person.

HOUSE BILL No. 2365.

An Act amending the title and the act of June 24, 1919 (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly" providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 814, Printer's No. 1512, on page 20 of today's calendar, bills on third reading postponed.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to have permission to say a few words regarding something that occurred today and I am sure that it occurs in everyone's life at some time.

Normally I come to Harrisburg on Sunday afternoon, but this morning my wife was ill, so I left the place where I live at 4:00 o'clock this morning to come to Harrisburg and I have been upset all day. For some reason I cannot seem to get it out of my system, and to all those people to whom I may have been rather sharp-tongued today, I want to you to know that as we passed over the Turnpike this morning there was an accident in which quite a few people were lying dead. I do not know how many, though those who passed later told me there were four.

It is just one of those things that I say to myself as I travel that road each week, only by the grace of God it could be me or anyone else. All day long, ever since this morning when we passed that spot at, I believe, 6:30 or 6:45—I have not been able to get out of my system that un-Godly accident. No matter how many times I looked back, all day in a busy schedule, that one accident comes up in my mind continually.

I say, that it may be right, or it may be wrong, but this is another example and I am not the one to determine it, but here is another case, in which the medial strip or the barrier may have saved all of those lives I do not know. I do know that there was none there. I do know that the accident occurred. I do know that all are dead who were in the accident: and I do know that I have been extremely upset.

If someone today were to argue with me about whether it cost \$50 million to put the medial strip, I would just ask them one question: you tell me what your life is worth, Mister, and tell me what the strip is worth. It has been most depressing. It is one of the days, although I tried all day, I have not been able to get it out of my mind. As busy as I have been this one accident comes back to my mind.

To all those who stopped in the office today on many other problems and if for some reason I seemed to be daydreaming I apologize on the grounds that I just could not think clearly, no matter how hard I tried.

CONFEREES SUBSTITUTED

Mr. TOMPKINS. Mr. Speaker, on Senate Bill No. 868, which suggests the name of Austin M. Lee as a conferee, Mr. Lee desires to retire as a conferee, and we would suggest the name of Mr. Harry Naugle of Somerset.

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. Lee, ask to be excused as a conferee?

Mr. A. M. LEE. I do, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the gentleman from Philadelphia having asked to be excused, the Speaker has substituted the name of Mr. Naugle of Somerset as the conferee on Senate Bill No. 868.

COMMITTEE MEETINGS

EDUCATION, Mrs. Ribman, Chairman, Room 324, Tuesday, October 20 at 9:15 a. m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, October 20 at 11:30 a. m.

ALL TIMES ARE DAYLIGHT SAVING TIME

ADJOURNMENT

Mr. KOOKER. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 20, 1959 at 11:00 a. m. EST.

The motion was agreed to, and (at 6:54 p. m. EST) the House adjourned.

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HARRISBURG, PA., TUESDAY, OCTOBER 20, 1959

No. 105.

SENATE

TUESDAY, OCTOBER 20, 1959

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, The Venerable ALLEN R. DAY, Rector of Mount Calvary Episcopal Church, Camp Hill, offered the following prayer:

Let us pray.

O God, give me strength to live another day. Let me not turn coward before its difficulties nor prove recreant to its duties. Let me not lose faith in my fellowmen. Keep me sweet and sound of heart, in spite of ingratitude, treachery or meanness. Preserve me from minding little stings or giving them. Help me to keep my heart clean and to live so honestly and fearlessly that no outward failure can dishearten me or take away the joy of conscious integrity.

Open wide the eyes of my soul that I may see good in all things. Grant me this day some new vision of Thy truth; inspire me with the spirit of joy and gladness, and make me the cup of strength to suffering souls, in the Name of the strong Deliever, our Lord and Savior, Jesus Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILL No. 1107 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; . . ." extending types permitted to include teachers' federations and fixing requirements thereof.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 578, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1822, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 723, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

Which was committed to the Committee on Rules.

House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; . . . and making an appropriation therefor, authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed, under certain terms and conditions.

Which was committed to the Committee on Rules.

SENATE CONCURRENT RESOLUTION, SERIAL No. 118, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Concurrent Resolution, Serial No. 118, which was read as follows:

ADJOURNMENT SINE DIE

In the Senate, August 26, 1959.

Resolved, (the House of Representatives concurring), That this regular session of the General Assembly adjourn Sine-Die on Monday, October 26, 1959 at 6:00 o'clock p.m., Eastern Standard Time.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The amended resolution will be laid on the table.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1198

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1198, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 2218

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House BILL No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2218

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 2319

He also informed the Senate that the House has non-

concurred in the amendments made by the Senate to House Bill No. 2319, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2319

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 959 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 959, entitled:

An Act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and boundary lakes and boundary rivers of the Commonwealth.

and has appointed Messrs. BRETH, CURWOOD and STONER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the difference existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 959

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 959, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1861 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

and has appointed Messrs. GELFAND, MAXWELL and Mrs. MARKLEY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE BILL
No. 1861

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1861, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO SENATE BILL
No. 864

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN
THE AMENDMENTS MADE BY THE HOUSE TO
SENATE BILL No. 864.

Mr. BERGER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 864, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN
AMENDMENTS TO HOUSE BILL No. 762 AND
APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams, or other structures * * * projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; * * *," authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

and has appointed Messrs. KORNICK, YETTER and HORST as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE BILL
No. 762

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 762, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO SENATE
BILL No. 436

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

The PRESIDENT. This bill will be laid on the table.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CON-
CURRED IN BY THE SENATE TO SENATE BILL No.
868, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 868, entitled:

An Act amending the title and act, of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars; increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

and has appointed Messrs. FRASCELLA, DEVLIN and NAUGLE as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 19, Printer's No. 19;
Senate Bill No. 187, Printer's No. 201;
Senate Bill No. 202, Printer's No. 216;
Senate Bill No. 233, Printer's No. 733;
Senate Bill No. 259, Printer's No. 276;
Senate Bill No. 304, Printer's No. 329;
Senate Bill No. 374, Printer's No. 401;
Senate Bill No. 382, Printer's No. 414;
Senate Bill No. 456, Printer's No. 490;
House Bill No. 480, Printer's No. 1527;
Senate Bill No. 490, Printer's No. 524;
Senate Bill No. 499, Printer's No. 534;
House Bill No. 540, Printer's No. 171;
Senate Bill No. 697, Printer's No. 761;
Senate Bill No. 698, Printer's No. 762;
House Bill No. 717, Printer's No. 616;
Senate Bill No. 736, Printer's No. 817;
Senate Bill No. 816, Printer's No. 942;
Senate Bill No. 823, Printer's No. 1522;
Senate Bill No. 824, Printer's No. 1477;
Senate Bill No. 835, Printer's No. 1504;
Senate Bill No. 839, Printer's No. 974;
House Bill No. 2134, Printer's No. 1119;

House Bill No. 2265, Printer's No. 1577;
House Bill No. 2271, Printer's No. 1576; and
House Bill No. 2365, Printer's No. 1670.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 476, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties, township roads and schools.

He also, from the Committee on Rules, reported as committed House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the computation and payment of tuition charges for non-resident pupils.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1186, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the sale of surplus personal property by boards of school directors.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1189, entitled:

An Act directing the Secretary of Public Welfare to enter into a contract of lease providing for the operation and maintenance of the Scranton State Hospital by a non-profit corporation organized for that purpose; providing for the terms of the lease including an option to purchase; providing for the operation and maintenance of the hospital under the lease; and making appropriations.

He also, from the Committee on Rules, reported as committed, House Bill No. 1904, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), defining the word "taxes" to include penalties and interest.

He also, from the Committee on Rules, reported as committed, House Bill No. 1927, entitled:

An Act amending "The Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), decreasing one tax, clarifying certain types of aircraft.

He also, from the Committee on Rules, reported as committed, House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

He also, from the Committee on Rules, reported as committed, House Bill No. 2120, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), prescribing an alternative method for fixing the fair return of common carriers in rate proceedings.

He also, from the Committee on Rules, reported as amended, House Bill No. 2165, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

He also, from the Committee on Rules, reported as committed, House Bill No. 2181, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), penalizing acts of malicious mischief to personal property.

He also, from the Committee on Rules, reported as committed, House Bill No. 2292, entitled:

An Act requiring the marking of highways and inter-sections in the State Highway system and imposing duties on the Department of Highways.

He also, from the Committee on Rules, reported as committed, House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction.

He also, from the Committee on Rules, reported as committed, House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the Public School Employees' Retirement Board; and making an appropriation.

He also, from the Committee on Rules, reported as committed, House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

He also, from the Committee on Rules, reported as committed, House Bill No. 2372, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the employment of former members of school boards as teachers.

He also, from the Committee on Rules, reported as committed, House Bill No. 2382, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the provisions which make certain worldly employment unlawful on Sunday.

He also, from the Committee on Rules, reported as committed, House Bill No. 2405, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining the word "document."

Mr. WADE, from the Committee on Highways, reported as amended, House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-stop intersections and providing a penalty for the violation thereof.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nomination, reported with a favorable recommendation

the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

October 13, 1959.

To the honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Victor L. Farrell, 59 Crestview Boulevard, Warren, Warren County, for appointment as Justice of the Peace in and for the Township of Pleasant, Warren County, to serve until the first Monday of January 1960, vice Casper W. Zinger, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

August 31, 1959.

To the honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Summerville (Republican), 413 Smith Street, Ridgway, Elk County, for appointment as a member of the Elk County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice John W. Deegan, Ridgway, resigned.

DAVID L. LAWRENCE.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, on November 11, the American Philosophical Society will dedicate its new Library Hall in the heart of Independence Park in Philadelphia. This is an event which will be of Nation-wide importance.

This resolution is asking for the appointment of three Senators to join in the festivities and, in that way, indicate how much we are attuned to what is transpiring and happening at Independence Park.

SENATE RESOLUTION

SENATE COMMITTEE TO ATTEND DEDICATION EXERCISES OF THE NEW LIBRARY HALL OF THE AMERICAN PHILOSOPHICAL SOCIETY

Messrs. STIEFEL, DONOLOW, CHAPMAN and SILVERT offered the following resolution (Serial No. 77), which was read as follows:

In the Senate, October 20, 1959.

Whereas, The American Philosophical Society on November 11, 1959, will dedicate its new Library Hall in the heart of Independence Park to house its great and important collections of historical and scientific materials; and

Whereas, The American Philosophical Society is the oldest learned society in America and its Philosophical Hall on Independence Square is a shrine of science and learning even as Independence Hall is a shrine of patriotism; and

Whereas, The new Library Hall duplicates in its exterior the beautiful Georgian building which was erected in 1989-1790 for the Library Company of Philadelphia, the oldest subscription library in the Country, founded by Benjamin Franklin and others in 1731; and

Whereas, The American Philosophical Society by its promotion and encouragement of scientific and scholarly research and of historical preservation has contributed

greatly to the advancement of the Commonwealth of Pennsylvania and the United States of America; therefore be it

Resolved, That the President pro tempore of the Senate appoint three members of the Senate to attend the exercises to be held on November 11, 1959, in dedication of the new Library Hall of the American Philosophical Society as representatives of the Senate of the General Assembly of Pennsylvania.

Mr. STIEFEL asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

TRIBUTE TO THE LATE GEORGE C. MARSHALL

Messrs. DiSILVESTRO, WEINER, BERGER and KALMAN offered the following resolution (Serial No. 78), which was read as follows:

In the Senate, October 20, 1959.

We pause on this sad occasion to mourn the loss of a soldier, statesman, patriot and humanitarian. Today, in simple ceremonies, George C. Marshall, one of the greatest men of our times, will be laid to rest.

A Pennsylvanian, he was born in Uniontown, Pennsylvania, December 31, 1880.

He attended the Virginia Military Institute at Lexington, Virginia, and after graduation was commissioned a Second Lieutenant of Infantry in February 1901. He had many important assignments but of particular note was his appointment as Chief of Staff of the United States Army with the rank of full General. He directed the master strategy of the United States war plan during World War II and, in 1944, was promoted to the rank of Five Star General. The European Recovery Program, commonly called the "Marshall Plan," promoted by him played a significant part in the economic recovery of Western Europe and for his untiring efforts he was awarded the Nobel Peace Prize in 1953.

Many honors were bestowed upon him by nations all over the world and by institutions of higher learning in recognition of his services to his Country and mankind.

Freedom loving peoples in all countries have lost a great champion for their cause in the death of George C. Marshall; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania pays tribute to George C. Marshall, one of our own Pennsylvania sons, who became and was recognized the world over in his lifetime as a great soldier, statesman, patriot, and humanitarian; and be it further

Resolved, That a copy of this resolution be transmitted to Katherine Boyce Tupper Brown Marshall, his widow at Leesburg, Virginia.

On the question,

Will the Senate agree to the resolution?

Mr. WEINER. Mr. President, before we vote on this resolution, I would just like to state that here was a man who really gave himself for his Country. We usually hear that phrase in association with other people and sometimes it is considered a trite phrase. However, I think this man symbolizes the full import of that statement.

Unfortunately, he became part of an issue in a political campaign, in which I think he never should have become involved. Unfortunately, not too many people came to his defense in order to defend his honor at that point. I think he was maligned for no reason at all. I think he was dragged in by his heels by a man who had no business doing it, other than for the publicity which

he felt would engender to himself or that he could bask in this man's reflected glory by attacking him. I think the record should be set straight and I know that only in a small way, we can do it here.

Mr. President, here was a man who not only gave of himself, but of every ounce of his energy and devotion to a Country which he felt greatly needed it. In that, he was a true patriot in that sense of the word.

Unfortunately, as history will record, many people who were Chief of Staff are not remembered in many great conflicts. Usually, the field generals are those who are remembered and much discussed in history books and in later papers, such as biographies and things of that nature. However, this man was truly one of the military geniuses and, I believe, one of the guiding lights in the last war. I think he was one of the real people who was responsible and the real architect of the peace which resulted. I am sure the Marshall Plan will go down in history and he will be noted not so much as a soldier, but for his efforts on behalf of the peace of the entire world.

I ask that all of us unanimously adopt this resolution.
And the question recurring,
Will the Senate agree to the resolution?
It was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

JUSTICE OF THE PEACE

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Victor L. Farrell, 59 Crestview Boulevard, Warren, Warren County, for appointment as Justice of the Peace in and for the Township of Pleasant, Warren County, to serve until the first Monday of January 1960, vice Casper W. Zinger, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

August 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Summerville (Republican), 413 Smith Street, Ridgway, Elk County, for appointment as a member of the Elk County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice John W. Deegan, Ridgway, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 4, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 4

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 4.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,

Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 124, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 124

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 124.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 298

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 298.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 313, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 313

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 313.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 375, Printer's No. 1521, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus.

Mr. WEINER. Mr. President, I also request a one hour recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Caucus Room on the Fourth Floor.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE THE DEPARTMENT OF PUBLIC WELFARE, PURSUANT TO SENATE RESOLUTION, SERIAL No. 18, LAID ON THE TABLE

Mr. PECHAN. Mr. President, on behalf of the Majority Members of The Special Committee to Investigate the Department of Public Welfare, I am about to submit their report.

I am not sure, but I suppose the other two gentlemen may sign this report. This matter has been held in abeyance for quite sometime. We had a meeting this morning, and one of the Minority Members was unable to be there because he was not feeling well. Senator

Stiefel, although he made some laudatory remarks about the report, did not sign it. Whether he is going to do so at a future time, I do not know.

Therefore, I present to the Chair the following report.

The PRESIDENT. This report will be printed in the Journal.

Senate of Pennsylvania
1959

REPORT

THE SPECIAL COMMITTEE TO INVESTIGATE the

DEPARTMENT OF PUBLIC WELFARE
Submitted to the Senate on October 13, 1959.

Senate of Pennsylvania
1959

The Special Committee to Investigate the

Department of Public Welfare

Albert R. Pechan, Chairman

Fred B. Rooney

Raymond P. Shafer

Israel Stiefel

John T. Van Sant

Severino Stefanon, Executive Secretary

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INTRODUCTION

Senate Resolution No. 18, introduced by Senator Frank Koprivier, Jr., and Senator Albert R. Pechan, and adopted by the Senate on March 16, 1959, directed that a committee of five Senators be appointed to investigate the affairs and activities of the Department of Public Welfare and to report its findings and recommendations to the Senate.

The Committee was directed to give particular attention to:

"... the policies, practices and objectives of the department, the degree to which the spending of the department conforms to those policies and objectives, the administrative costs involved in our public welfare and public assistance programs, the need for our present programs and the extent to which that need is supplied . . ."

The Committee has held public hearings, five in Harrisburg and one in Pittsburgh, and has heard testimony on most of the many aspects of the department's activities. In addition, written testimony in the form of reports, letters and memoranda has been submitted by the department, by interested organizations and by citizens.

It should be noted that the Committee was organized as a fact-finding group. At no time was any charge of any sort leveled by the Committee or any of its members against any part of the department. Rather the Committee saw fit to make inquiry into the many-faceted operation that is the Department of Public Welfare. This report and the recommendations contained are a result of the Committee's inquiries.

Throughout the investigation, the Committee has had the complete cooperation of Mrs. Ruth Grigg Horting, Secretary of Public Welfare, and her entire department. Mrs. Horting furnished all data requested and personally presented to the Committee testimony on the general operation of the department that aided the Committee materially in its subsequent inquiries. The spirit of cooperation exhibited by the entire department was most helpful to the Committee.

The task assigned the Committee was imposing. The Department of Public Welfare, as now created from the merger of the Department of Welfare and the Department of Public Assistance, is the largest department in the state government. With over 20,000 persons on the payroll, the department accounts for about 28 percent of all people employed by the state. Budget-wise, the Department of Public Welfare requires roughly one-fourth of the total state general fund appropriations.

The department is divided into six divisions, in addition to the administrative organization. The divisions, known as "Offices" are: Office of the Aging, Office of the Blind, Office of General and Special Hospitals, Office for Children and Youth, Office of Public Assistance, and Office of Mental Health. Each office, whose operations range in size from well under \$1 million to over \$173 million, has a commissioner who is responsible to the Secretary of Public Welfare.

In accordance with the purpose of the Senate Resolution, the Committee has made inquiry into the practices and policies of each of the divisions. That the department is far too large to permit anything resembling a thorough investigation by a Legislative Committee sitting during a legislative session became immediately apparent. The Committee has been able, however, to delve into the basic philosophies underlying the program of each division and to make recommendations based on its inquiries. A broad-based, long range study of several phases of the department's operations should be made.

FINDINGS AND RECOMMENDATIONS

The Department of Public Welfare is one of the largest in the state government. Its functions are many and varied. As a result, the Committee found that it had neither the time nor the resources to make a thorough study of the department.

The Committee did, however, examine many phases of the department's operations, within the limits of the time and resources available. As a direct result of its inquiries, the Committee respectfully submits:

1. In spite of the Governor's announced austerity program and the present financial crisis of the Commonwealth, no study has been made and no policy formed toward seeking economies at any level of the department. On the contrary, departmental planning constantly seeks more money and more staff.

2. An intensive study should be made of the feasibility of divorcing from the department the administration of the mental health program, the operation of the state-owned hospitals and the administration of the state-aid program for other hospitals.

3. The general hospitals should remain general hospitals, whether sold to community interests or continued as state-operated institutions. Consideration should be given to the adoption of a plan whereby the Department would make collections for care and treatment in the hospitals.

4. The duplication of effort and the conflicts arising from the Commonwealth's dual administration of institutions dealing with the juvenile delinquent should be eliminated. Consideration

should be given to the transfer of Morganza to the Department of Justice's Bureau of Correction. A Juvenile Division should be set up within the Bureau of Correction. The courts should commit to that Division, rather than to a specific institution and the Division should have authority to classify, assign and transfer inmates within an integrated system.

5. The Department should exercise stronger controls over the local offices in the administration of the public assistance programs. Stronger supervision and more rigid enforcement of eligibility rules will do much to reduce the number of chislers on the relief rolls.

6. The State Council for the Blind should be completely reorganized.

7. The rules and regulations promulgated by the department should have a degree of flexibility to permit their adaptation to the needs of all areas. The problems of the rural areas, for instance, are often quite different from those of the big cities.

8. The so-called "purchase-of-care" plan for payment of services for the indigent, as has been recommended to the General Assembly, should be given careful and intensive study before any decision on its merit is made.

DEPARTMENT—GENERAL

The committee has been disturbed by the general attitude that seems to prevail at departmental level—that is, that services being offered are not satisfactory or do not reach enough of the people in need of the services and that the only way the effectiveness of the program in question can be improved is by the addition of more staff and the appropriation of more money.

This fault is not unique to the department administration, however. A recent report of the State Board of Public Assistance asks for "realistic funds" for a "larger and better trained staff." During the hearings the cry for more money was frequently heard.

The possibility of doing a better job with the resources available was seldom mentioned.

The Committee is alarmed, too, by the apparent absence of plans to realize any early economies from the merger of two departments into one, as was expected by the enabling legislation of 1957. Economies, the Committee is told, are there, but will not be effective for "several" biennia. Meanwhile, it is a fact that budget requests show an immediate increase for the new department.

There was much discussion as to just how the figures are to be interpreted to determine the actual increase in 1959-61 over the total 1957-59 appropriations to the old Departments of Welfare and Public Assistance. For general administration alone, the calculations range from \$700,000 to \$2,300,000 increase over the last biennium. In any event, the general increases belie any hope for economies that can be expressed simply in terms of dollars saved through reduced appropriations.

OFFICE OF MENTAL HEALTH

The Office of Mental Health is the largest operation within the Department of Public Welfare, when examined from the standpoint of personnel and facilities under its supervision. Its importance is such that it is the only office whose head is accorded the status of Deputy Secretary of the Department.

The Office of Mental Health supervises 18 state mental hospitals and a series of state training schools for the mentally retarded. It operates diagnostic and evaluation centers for the study and classification of retarded children. The Office also administers grants to county institution districts, community psychiatric clinics, mental

health diagnostic clinics and the like through the Commonwealth.

The operation of the Office requires the assistance of almost 15,000 employees, with the bulk of these being employed in the 18 mental hospitals. About 60 persons are employed in the central office in Harrisburg.

Total appropriations requested for the 1959-61 biennium in the name of mental health exceed \$178 million, of which \$167.9 million are asked for operation of the institutional programs. That the Commonwealth's mental health program is essentially a state-financed program is evident in that, of the total budgeted, only \$350,000 are federal funds.

Pennsylvania's mental health program has been undergoing a metamorphosis in recent years, a change that has been evident in the treatment of mental patients throughout the country. The new "wonder" drugs have been highly successful in controlling patients for treatment and improvement. More of the mentally ill are being treated in community clinics. Diagnosis of mental illness is taking place earlier. Bridging devices, halfway homes and the like are permitting patients to prepare gradually for the change from the hospital to normal community life.

This is reflected in Pennsylvania, where the hospital patient population dropped by 2,000 between 1955 and 1958. During the same period, the patients "on leave" from a state hospital increased from 8,277 to 11,437. With a heavier total case load, the mental health program is now being operated so that the in-patient load is being reduced. Recent developments have resulted in the number of "on leave" patients being increased from 10 per cent of the total in 1940 to 23 per cent in 1958.

Quite obviously, then, what was once primarily a program of custodial care has now progressed well into the remedial field. No longer is it necessary to expect that a person committed to a mental hospital will spend the rest of his days there. No longer is that person a welfare problem. He has, instead, become a challenge to the medical profession.

The new approach to mental health brings with it highly specialized and complex problems, requiring the attention of doctors skilled in the treatment of the mentally ill. The department has had difficulty in recruiting and retaining psychiatric physicians. Testimony before the Committee indicated that the reasons for not being able to get and hold qualified personnel were not purely monetary. Rather, qualified personnel are caused to shy away from Pennsylvania because of a system that names a politician as head of the department then suffers from the change in policies which are evident with every new department chief.

One solution offered would create a separate Department of Mental Health. Another proposal would move the mental health program from Welfare to the Department of Health. Both suggestions seem to have some merit, but the reasons documented are not sufficient to support either course.

Rather, it seems that the state's mental health program should undergo a thorough examination in order to permit the General Assembly to better determine the proper role of the program within the state's services to the people.

OFFICE OF GENERAL AND SPECIAL HOSPITALS

The Office of General and Special Hospitals is responsible for the direct supervision of the ten state-owned general hospitals. It is also responsible for the general supervision of all other hospitals except for the mental institutions and

state hospitals operated under the Department of Health.

It has been recommended that the state-owned general hospitals be sold to private or community interests. Legislation to permit the sale has already been introduced and is so written that if the hospitals are not sold by 1963 they would be used by the Commonwealth for purposes other than a general hospital.

While the Committee cannot object to the sale of the hospitals to a private or a community interest, it is difficult to understand how the hospitals could simply be discontinued should no purchaser be found. Certainly, the populace of the area has accustomed itself to the use of the hospitals and the removal of the hospitals facilities would require their replacement with similar facilities. If purchasers for the present facilities could not be found, how would it be proposed to secure funds to erect new hospitals?

The state-owned general hospitals have a system of screening all admissions to determine ability to pay hospital charges. The Committee is disturbed to hear that, of those patients adjudged to be able to pay all or a portion of their bills, only about 49 per cent of charges are collected. The Committee has been told that if the department could make collections on charges for medical services, rather than the Department of Revenue, as is now the case, the state would realize increase in collections, perhaps as high as \$20 million. In view of the present fiscal difficulties, consideration should be given to making a change in collection procedures.

During hearings on the subject of the general hospitals, reference was made to a proposed new "purchase-of-care" plan. Discussion of this idea will be set forth separately later.

OFFICE OF PUBLIC ASSISTANCE

The Office of Public Assistance supervises the administration of public assistance throughout the state, developing policies and standards, eligibility regulations and the like.

This is an area in which the Committee found itself faced with a study the scope of which is far beyond the time and resources available to a legislative committee sitting during a legislative session. Without a doubt, this is an area of governmental operation that merits far more examination.

There is too much evidence of poor administration at the local level. There are too many reports indicating that rules by which one can establish his eligibility for public assistance are far too lax, permitting many persons to get on the relief rolls who have other means of support. Evidently, these persons get on the rolls too often and stay too long.

There is a definite need for closer supervision of the relief rolls to reduce the payments to these "chiselers."

One method for more effective policing of the relief rolls lies not with the department but with the courts. It seems that the courts have as a rule been far too lenient with the relief chiselers. Apparently, the department shares this opinion.

Charges have been made that the policies of the department have encouraged an increase in the illegitimacy rate in Pennsylvania. While the Committee is reluctant to accept such statements as fact, there are too many circumstances to permit the charges to be dismissed lightly. Across the state, there are 114,000 on the ADC (Aid to Dependent Children) rolls. Of these, 23 per cent are of illegitimate birth. Philadelphia statistics swell the totals in that, of 44,000 on ADC there, 38 per cent are of illegitimate birth. In Allegheny County of the total on ADC, 20 per cent are of illegitimate birth.

Here, especially, it seems that a general tightening of departmental regulations and supervision is needed. In the event the department is not able to police the program better through its internal controls, then consideration should be given to remedial legislation on the matter.

Another area of concern on administration of the public assistance program is caused by the revelation that more than a few relief recipients receive their checks at an out-of-state address. Most distressing was the number who during the winter months of 1958-1959 continued to receive relief checks while somehow being able to spend as much as two months in Florida. The fact that regulations permit the circumstance does nothing to ease the concern. The explanation usually given is that relatives pay for transportation and the vacation stay. If so, cannot those same relatives aid in the daily requirements of the indigent relative?

The responsibility for the care of needy and destitute citizens of the Commonwealth rests with the State Board of Public Welfare. While in the past it has been ineffective, it has in recent years asserted a degree of authority. However, it seems that its authority is effective only so long as the department head sees fit to put into effect the recommendations of the Board. Should the Secretary prefer to not enforce a Board policy, the policy has no status. This has been reflected in a recent Board recommendation regarding use by social workers of birth control information. While the Committee regards the subject itself as not within its purview, the Committee is concerned with the status of the Board and its policymaking powers. The Board should be a policy board and should set the general framework under which the department's rules and regulations should be promulgated. The State Board of Public Assistance should not be limited to advisory powers only.

There is reason for alarm, too, in the high rate of turnover among caseworker personnel in public assistance. During 1958 there was a 21.8 per cent turnover of the total 1,301 caseworkers in the department. While the Public Assistance Caseworkers had a relatively lower turnover rate of 9.2 per cent, other caseworkers separated at the rate of 48.1 per cent.

A Philadelphia study indicates that the primary reason for separation is "other employment." This, of course, can cover a multitude of reasons. Since the study has a separate listing for those who left because the job was unsatisfactory, then we must find other reasons why the caseworkers decided to take other employment.

A thorough analysis of the problem should be made so that steps can be taken to reduce the costly training load that is imposed by the high rate of personnel turnover.

OFFICE FOR CHILDREN AND YOUTH

The Office for Children and Youth supervises all child welfare and youth activities carried on by the department, licenses and supervises public and private institutions for dependent, neglected and delinquent children and administers the Pennsylvania Training School at Morganza and the Youth Forestry Camps.

To administer its program in the coming biennium, the Office is budgeted at almost \$10 million, of which about \$1 million are federal funds. The biggest single appropriation is for the operation of the training school at Morganza, \$2.8 million. Subsidies for reimbursement to counties for child-care services and for operational costs at schools for juvenile delinquents are budgeted at \$4.8 million. The total amount requested for 1959-

1961, in state funds only, represents an increase of 58 per cent over 1957-1959 expenditures.

Departmental reports indicate a staff of 279 persons: 57 in the central office in Harrisburg, 206 at Morganza and 16 in the two Youth Forestry Camps. This staff serves two bureaus, the Bureau of Family and Child Welfare and the Bureau of Youth Services, along with several state-operated institutions.

PENNSYLVANIA TRAINING SCHOOL (MORGANZA)

The Office of Children and Youth, through its Bureau of Youth Services, assumes guardianship of delinquent boys and girls between 12 and 18 years of age at its training school at Morganza. It operates here a school that once was the most dreaded reform school in the state.

At one time, Morganza housed over 1,000 inmates. Today's capacity is set at 304. A report from the Superintendent of the school indicates that the reduction in capacity is attributed to the gradual deterioration of the buildings and the subsequent loss of usable facilities. However, the chief of the Bureau of Youth Services states that: "Under the present philosophy, we can't handle that many . . . so the capacity figure has been reduced."

Reportedly, the school is always filled to capacity and there is a waiting list for courts that want to commit delinquents to the institution. Reportedly, too, the "outmoded buildings are responsible" for a daily per capita cost for operations along the line of \$6.05, if we listen to the Superintendent, or of \$2.00 for "excessive maintenance on the outmoded power plant and other buildings," if we listen to the bureau chief.

Total cost of operation, the average daily cost, is given as \$10.70. This reflects a most favorable reduction from the 1957 cost of \$13.10 per inmate-day reported by the Auditor General from the May 1957 audit. The county making a commitment to Morganza is charged at the rate of \$6.50 per day for each commitment.

While the cost of operation at Morganza has been reduced in the past several years, there seems to be much more room for improvement. Costs reported from another boys' institution are \$4.35 per day, with the county being billed \$4.20 daily. The White Hill Industrial School in the Department of Justice Bureau of Corrections reports a cost of \$3.73 per inmate-day.

One reason for the excessive cost of operation at Morganza might be found in the size of the staff at the institution. With only 265 boys and girls at the school, a staff of 206 is required. Another institution for boys reports 61 staff members for over 200 boys. At White Hill, with over 1300 inmates, the staff totals only 375. Presumably, too, each of these institutions is handling the same type of juvenile delinquent. If such is the case, it certainly seems that a re-evaluation of the program at Morganza is imperative.

The new "philosophy" for the training of juveniles has permitted the discontinuance of the work details that were at one time so much a part of the training program at Morganza. The farms, dairy herds, orchards, gardens, greenhouses, blacksmith shops are no longer in existence. The reduced population would, in itself, dictate a reduction of the work details, but the apparent complete abandonment of the details does not seem to be in the best interest of the institution, the inmates or the cost of operation.

At one time, too, Morganza, was accredited under the Department of Public Instruction. Somewhere along the way that accreditation has been lost. Under the guidance of the present superintendent, who has been head of the school for less than two years, and a member of the Board of Trustees of the institution, attempts are being

made to once again secure state accreditation for its formal schooling program.

The apparent need for more personnel under the Department's philosophy is evident, too, in the operation of its two Forestry Camps. A camp of 20 boys requires a staff of 9 including 6 counselors. Yet, the Bureau of Corrections has a Forestry Camp with 50 inmates supervised by a staff of 3 persons.

The Bureau of Corrections now handles 946 juveniles, in a total population of somewhat over 1300. The Department has a capacity of 256 at Morganza. Corrections has no welfare cases, restricting itself to delinquent only. Welfare, however, attempts to handle all juveniles.

All services for the training of the juvenile delinquent should be made a responsibility of the Bureau of Corrections. To effect this, all institutions for juvenile delinquents, including Morganza, should be transferred to the supervision of the Bureau of Corrections. Besides better administration, it is probable that economies would result from the transfer.

Further, the Commonwealth's program for training of juvenile delinquents should be re-examined. There should be established within the Bureau of Corrections a Juvenile Division. The courts should commit to the Juvenile Division, not to a specific institution. The Juvenile Division should establish a classification system and assign commitments accordingly, and should have complete authority to transfer juveniles from one institution to another, depending upon the type of program best fitted to the needs of the boys concerned.

A definite line of demarcation at any given age does not in itself determine whether an individual is a juvenile delinquent, juvenile criminal, or an adult criminal. Only by proper study and classification, with a variety of institutions and a variety of programs available, can any real progress be made in training or re-training in this field.

Family and Child Welfare

There is a strong need for the Department of Welfare to review its regulations in this area in an attempt to insert a degree of flexibility that will make it easier for the rural counties to operate the regulations.

Apparently, rules and regulations are promulgated to take care of the urban and suburban problems that are the rule. In the matter of adoption and child welfare generally, the problems found in rural areas are far different from those in the urban areas.

The department is requiring, for instance, that all county welfare agents be "trained" workers. According to the department, a "trained" worker has four years of college, a masters degree and actual training with children. Under present regulations, these requirements will be mandatory after 1963, or a child welfare worker will not be able to get a license from the department. At the very least, the "grandfathers' clause" should be incorporated into these new regulations.

The department is also trying to force compliance with state and federal regulations in this field so that the state can become eligible for federal funds. (There, again, is evidence of the belief that federal funds are there for the asking and that they cost us nothing—an attitude that the Committee finds most deplorable.) It seems inconceivable to the department (and to professional social workers generally) that there are some people that are willing to handle some of their problems on their own and without the help of the state.

Since there are local organizations that are willing to take care of their own problems on child

welfare, and since some apparently are able to do a good job of it, there is every reason for the department to be cognizant of that fact in making its rules and regulations and to include a degree of flexibility that will permit the continued operation of the local programs.

OFFICE FOR THE BLIND

The Office for the Blind is responsible for all services for the blind. It does not, however, administer the blind pension program. The Office works with the State Council for the Blind, an organization that is by statute an administrative unit but in fact an advisory body only—and obviously ineffective.

There is little doubt that the State Council should be reorganized. Its present membership is seven: The Secretary of Public Welfare, the Secretary of Labor and Industry, the Superintendent of Public Instruction and four persons named by the Governor. The Board is in practice run by the Commissioner for the Blind, who is, of course, on the Board as the emissary of the Secretary of Public Welfare. A decision should be made to determine whether the Council should be policy, administrative or advisory. The Committee, while admitting that further study is desirable, suggests that the Council have policy-making powers, but no administrative responsibilities.

There seems to be a need for better administration within the Office for the Blind, administration which will result in better services being offered within the funds now available to the Office. It is difficult to understand, for instance, why the Office requires a staff of 104 persons at the central office in Harrisburg to administer a \$2.3 million program. During the 1955-1957 biennium, the remedial eye care program was cut back, by administrative order, 80 per cent from the \$210,000 level then in effect. Perhaps an improvement in administration would permit the restoration of at least a portion of what was at one time apparently a highly effective program.

Further, examination of the vending stand program is in order. Representatives of the stand operators advise the Committee that the 4 per cent commission which the operator must pay on his gross income represents a loss of net income so great as to work a hardship on many stand operators.

In the face of this information from the stand operators, the department has had legislation introduced to change the present 4 per cent commission to a proposed range of 2 per cent to 10 per cent, thus providing "equality of opportunity" among the blind operators. This equality of opportunity, if it means that the better paying stands would pay a higher commission than the poorer stand, would subject the blind vendor to the ability-to-pay principle.

Suggestions are made, too, that services for the blind be put on a "purchase-of-care" plan. This will be discussed separately later.

OFFICE FOR THE AGING

The Office for the Aging is the smallest within the Department of Public Welfare. Unfortunately, the Committee had little opportunity to explore the operations of the Office and is not in position to make comment on it.

"PURCHASE-OF-CARE" PLAN

The Committee has on several occasions had called to its attention a proposed new "purchase-of-care" plan. This plan is intended to replace the present system of state-aid to hospitals. It is also suggested for use in the programs for the blind and the aging and is recommended for distribu-

tion of funds in the youth service program.

Under the plan as it applies to hospitals, (the area in which it has been promoted the hardest), medically indigent persons would be placed on the public assistance rolls, for hospitalization purposes only, and payments would be made to all "acceptable" hospitals, in accord with "uniform standards," for service to public assistance beneficiaries.

While the plan at first blush seems to have considerable merit, further examination uncovers a number of undesirable features. The plan would propose an appropriation in lump sum, as is now done with the general public assistance program. From this lump sum, the Department of Public Welfare would distribute the funds, under rules and regulations set up by the department.

The "purchase-of-care" plan would apparently permit the Commonwealth to qualify for added federal funds for the administration of its services for the indigent. The exact status of such a plan, however, has not been made clear.

This plan should be referred to the Joint State Government Commission for a complete study to determine the actual impact that its adoption would have on the welfare programs it would affect and on the amount of state appropriations which might be involved.

SENATE RESOLUTION

Serial No. 18 (not printed)

Legislative Journal Page 476.

By Messrs. PECHAN and KOPRIVER.

SENATE COMMITTEE TO INVESTIGATE THE AFFAIRS AND ACTIVITIES OF THE DEPARTMENT OF PUBLIC WELFARE

In the Senate, March 10, 1959.

During the 1957 session of the General Assembly the Departments of Welfare and Public Assistance were merged into the Department of Public Welfare, creating an immense spending agency through which a great portion of the tax revenue is expended.

The maintenance of welfare institutions and the care of the indigent, infirm and needy are certainly the most humane and perhaps the most important functions of the State Government. That they be adequate and executed in the fairest, most efficient, yet most economical manner possible is an end which every Pennsylvania desires.

The confidence which the General Assembly has in the past placed in the advice and counsel of the Departments of Welfare and Public Assistance is not now in question. But recent developments have made it clear that further action of the General Assembly must be taken pursuant to a thorough and complete knowledge of all the facts, factors and problems involved in public welfare and public assistance.

We in the General Assembly have heard the advice of countless experts urging the increase, the decrease, the containment, the expansion and the reevaluation of welfare activities. We have been told of the dangers of continuing our present policy and we have been told of the dangers of not continuing our present policy. We have seen the policies of the department change with the change of secretaries, and with the change of administrations. We have learned that the employees of the department would be protected from politics and we have later learned that their right to be involved in politics would be protected. We have seen responsible public officials claim that the problem of the birth of

illegitimate children was aggravated by the policies of the department.

We are aware, as is the taxpayer, that an ever increasing part of every tax dollar goes into welfare and assistance programs. We are aware that the tax burden in many cases has become onerous enough to be prohibitive of the simplest of luxuries.

We are aware that our people are such that they would not permit any human being to remain truly in need of the necessities of life. But we must be equally aware of the dangers inherent in assisting persons who are not in actual need and in spending more money than our taxpayers can supply. We must also be aware that a hope of our enemy in the cold war is that we will spend ourselves into bankruptcy; a proposition so obvious that Russian citizens have expressed it freely to Americans, including at least one Pennsylvania Senator.

The need for an exhaustive study of our public welfare and public assistance programs and the administration of them is imperative; therefore be it

Resolved, That the President pro tempore of the Senate appoint five members of the Senate who shall constitute a committee to investigate into the affairs and activities of the Department of Public Welfare, giving particular attention to the policies, practices and objectives of the department, the degree to which the spending of the department conforms to those policies and objectives, the administrative costs involved in our public welfare and public assistance programs, the need for our present programs and the extent to which that need is supplied and all other matters relating to welfare institutions and public assistance a knowledge of which would assist the General Assembly in enacting wise and adequate laws relating to public welfare and public assistance; and be it further

Resolved, That the committee may hold hearings take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee so appointed shall report back to the Senate its findings and recommendations as soon as possible.

Referred to Rules, March 10.

Reported as committed, March 16.

Adopted March 16, 1959.

Mr. WEINER. Mr. President, I ask that this report be laid on the table. I have been advised by the Democratic Members who served on this committee that they are going to file a Minority Report. It is not because they feel that this report is incomplete, nor is it because they feel that it does not cover the entire subject. They feel that in some areas it has not given as full a picture as they would like to have before the entire Body.

I feel it is their duty, as the Minority Members on this Special Committee, to present their viewpoints to the entire Senate and to the people of Pennsylvania who might be interested in this subject. For that reason, I ask that this report be laid on the table until such time as the Minority Report is filed so that they both can be considered at the same time, should the Senate adopt either report, which it may or may not do.

Mr. PECHAN. Mr. President, I have no objection to this report, which I just presented being laid on the table until such time as the other two Members make up their minds as to what they want to do.

While I am talking about the subject, I want to say that I think it is an unfortunate situation that the committee was called to investigate. Actually, we were not out to get anyone. We wanted to make sure that because of the large expenditures of money in the Welfare Department, that they be justified. We, in no manner, were out to get anyone. I have no objection to the other Members, if they desire, filing an Minority Report. In the meantime, my report may lie on the table.

Mr. WEINER. Mr. President, on behalf of the Minority Members who served on this committee, both of whom seem to be absent from the Chamber at this moment, I want to thank Senator Pechan for his open-minded attitude on this. I certainly hope that he will continue in that vein. When the Minority Report is filed, perhaps he would like to join the Members in signing their report if they cannot agree on signing this report.

WALTER WEIR, PRESIDENT OF THE PENNSYLVANIA CHIEFS OF POLICE ASSOCIATION, PRESENTED TO SENATE

Mr. KOPRIVER, JR. Mr. President, it is very seldom that a Member of the Senate has an opportunity to introduce a man whom we are very, very proud of in Duquesne, my home town.

My Chief of Police, Walter Weir, who is not only my Chief of Police, as Mayor of Duquesne, but who is President of the Pennsylvania Chiefs of Police Association, is here this afternoon in the Chamber. I would like you to welcome him to the Senate.

The PRESIDENT. Will the Chief of Police of Duquesne, Pennsylvania please rise? Chief, we are very very happy to have you with us.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 163, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), excluding buses owned by or under contract with schools districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 163.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 752, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" authorizing the inclusion of costs of treasurers' bonds and auditing of treasurers' accounts in estimates of costs of educating handicapped children and providing for reimbursements.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,

Flack,
Fleming,
Harney,

McCreesh,
McGinnis,
McMenamin,

Seyler,
Shafer,

Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliot,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliot,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1205, on third reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for payment to joint boards under certain conditions by the Commonwealth for the acceptance of non-resident pupils and providing for installment payments.

be recommitted to the Committee on Rules.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1614, Printer's No. 1823, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1646, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" providing that evidence of mental condition may be submitted by deposition or affidavit of a physician of any City-owned hospital or institution.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Berger,
Blass,
Camiel,
Chapman,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,

Miller,
Mullin,
Murray,
Pechan,
Propert,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,

Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Kromer,
Lane,
Madigan,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Chapman,
Camel,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1942, Printer's No. 1829; and

House Bill No. 2021, Printer's No. 1778.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified

copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following appropriation bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;

Senate Bill No. 217, Printer's No. 1516;

Senate Bill No. 295, Printer's No. 319;

Senate Bill No. 445, Printer's No. 1517;

Senate Bill No. 545, Printer's No. 1518;

Senate Bill No. 711, Printer's No. 1519;

Senate Bill No. 863, Printer's No. 1002;

House Bill No. 1157, Printer's No. 1822;

Senate Bill No. 1194, Printer's No. 1457;

House Bill No. 1508, Printer's No. 1530;

House Bill No. 1894, Printer's No. 943;

House Bill No. 2303, Printer's No. 1413;

House Bill No. 2304, Printer's No. 1414; and

House Bill No. 2313, Printer's No. 1523.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 79;

House Bill No. 355, Printer's No. 1710; and

House Bill No. 506, Printer's No. 1826.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 867, on second reading, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

be recommitted to the Committee on Judiciary General.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 9266, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley and which is now the property of the Borough of Northumberland providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical and Museum Commission authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof authorizing the Pennsylvania Historical and Museum Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical and Museum Commission to accept as gifts or loans such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for enhancing the interests of this property as a museum of science creating an advisory board to assist in such functions and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 932, Printer's No. 1095, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" authorizing the acquisition of such tracts of land by eminent domain proceedings or otherwise and increasing the appropriation for one tract.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 7, by striking out "acquire by"; Amend Sec. 1 (Sec. 1), page 2, line 8, by striking out "eminent domain proceedings or otherwise"; Amend Sec. 1 (Sec. 1), page 4, line 6, by striking out the brackets before and after "purchase price"; Amend Sec. 1 (Sec. 1), page 4, lines 6 and 7, by striking out "acquisition of said tracts of land"; Amend Sec. 1 (Sec. 2), page 4, line 11, by striking out "acquire by"; Amend Sec. 1 (Sec. 2), page 4, line 12, by striking out "eminent domain proceedings or otherwise"; Amend Sec. 1 (Sec. 2), page 5, lines 3 and 4, by striking out the brackets before and after "purchase price"; Amend Sec. 1 (Sec. 2), page 5, line 4, by striking out "acquisition"; Amend Sec. 1 (Sec. 3), page 5, line 8, by striking out "acquire by"; Amend Sec. 1 (Sec. 3), page 5 line 9, by striking out "eminent domain proceedings or otherwise"; Amend Sec. 1 (Sec. 3), page 6, line 1, by striking out the brackets before and after "purchase price"; Amend Sec. 1 (Sec. 3), page 6, line 2, by striking out "acquisition"; Amend Sec. 1 (Sec. 4), page 6, line 5, by striking out "acquire by"; Amend Sec. 1 (Sec. 4), page 6, line 6, by striking out "eminent domain proceedings or otherwise"; Amend Sec. 1 (Sec. 4), page 8, line 3, by striking out the brackets before and after "purchase price"; Amend Sec. 1 (Sec. 4), page 8, lines 3 and 4, by striking out "acquisition"; Amend Sec. 1 (Sec. 5), page 8, line 7, by striking out "acquire by"; Amend Sec. 1 (Sec. 5), page 8, line 8, by striking out "eminent domain proceedings or otherwise"; Amend Sec. 1 (Sec. 5), page 9, line 8, by striking out the brackets before and after "purchase price"; Amend Sec. 1 (Sec. 5), page 9, line 8, by striking out "acquisition of said tract".

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SCOTT offered the following amendment:

Amend Title, page 1, lines 4 to 6 of Title, by striking out "author-" in fourth line, all of fifth line, and "proceedings or otherwise and" in sixth line.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 940, Printer's No. 1109, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 998, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by defining distressed school districts authorizing the Superintendent of Public Instruction or his designated representative to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction or his designated representative with regard there authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 1 (Sec. 318), page 2, lines 12 and 13 by striking out "superintendent of public instruction or his designated representative" and inserting: "special board of control provided for in section 692 of this act"; Amend Sec. 1 (Sec. 318), page 2, line 13 by striking out "his" and inserting: "its"; Amend Sec. 1 (Sec. 318), page 3, line 3 by inserting brackets before and after "of it."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 2 (Sec. 692), page 6, line 1 by striking out "Control by the Superintendent of Public Instruction" and inserting: "Special Board of Control; Petition, Appointments"; Amend Sec. 2 (Sec. 692), page 6, line 8 by inserting after "shall": "petitions the court of common pleas of the county in which such district or the largest part in area is located to appoint two citizens who shall be qualified electors and taxpayers in the county in which the school district is located. School directors and employes of any such school district shall be ineligible for appointment by the court. Within ten days after the presentation of said petition, the court shall make the appointments herein provided and the appointees, together with the Superintendent of Public Instruction or his designated representative shall constitute a special board of control. Vacancies occurring because of death or resignation of appointed members of the board shall be filled by the court. The special board of control shall"; Amend Sec. 2 (Sec. 692), page 6, line 11 by inserting after "district": "The costs of the court proceedings shall be paid by the Department of Public Instruction"; Amend Sec. 2 (Sec. 693), page 6, line 12 by striking out "Superintendent of Public Instruction" and inserting: "Special Board of Control"; Amend Sec. 2 (Sec. 693), page 6, lines 13

and 14 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 693), page 6, line 14 by striking out "he" and inserting: "it"; Amend Sec. 2 (Sec. 693), page 6, lines 18 and 19 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 693), page 7, lines 1 and 2 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 693), page 7, line 4 by striking out "he or his representative" and inserting: "it"; Amend Sec. 2 (Sec. 693), page 7, line 6 by striking out "Superintendent of Public Instruction or his representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 694), page 8, lines 17 and 18 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 694), page 8, line 20 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 694), page 9, lines 4 and 5 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 695), page 9, line 19; page 10, line 1 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control"; Amend Sec. 2 (Sec. 695), page 10, line 2 by striking out "him" and inserting: "it"; Amend Sec. 2 (Sec. 695), page 10, lines 3 and 4 by striking out "Superintendent of Public Instruction or his designated representative" and inserting: "special board of control."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WAGNER offered the following amendments:

Amend Title, page 1, fifth and sixth lines of Title, by striking out "authorizing the Superin-" in fifth line, all of sixth line of Title and inserting: "creating and authorizing a special board of control"; Amend Title, page 2, first line of Title by striking out "or his designated representative."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1198, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof by the Department of Welfare and fixing penalties" redefining "boarding houses for infants."

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1122, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for the placing of blood type and RH factor on operator's license card.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" redefining boarding houses for children.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1199, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" further regulating the catching, taking, killing and possession of carp.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1380, Printer's No. 1810; and

House Bill No. 1384, Printer's No. 1756.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I am not objecting to these bills going over in order, but I think House Bill No. 1380 has been on the Calendar for quite some time. It is not a very complicated measure, but, in my opinion, it is a measure which we need very badly. I think it has been pretty badly mauled and emasculated at this point by the numerous amendments. The sooner we get this measure onto the Third Reading Calendar, passed by this Senate and then into a Conference Committee, we will have a better opportunity for us to work on it. The longer we postpone action, we are merely delaying facing the problem. I think the time to act on this matter is now.

If there is some problem in the bill which seems a little bit difficult or obscure, I will, in my own small and limited way, try to explain any questions about it. However, there is nothing complicated about this measure. I am not objecting to the bill going over in its order, but I just want to make the observation that it has been on the Calendar for quite some time and I think we should move it.

Mr. BERGER. Mr. President, I repeat my request that the bill go over in order. I wish to say that I am sure there are some questions in the minds of some of the people, and they would like to resolve those questions themselves before the bill moves up.

The PRESIDENT. There being no objection, the bills will go over in their order.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1443, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440) entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1789, Printer's No. 1828, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1977, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 2 (Sec. 1302-B), page 13, line 19, by inserting after "HAVE": "secretly"; Amend Sec. 2, (Sec. 1305-B), page 19, lines 10 and 11, by striking out both of said lines, and inserting: "pencil, crayon, indelible pencil or ink."

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 1783, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2028, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WEINER. Mr. President, I move that House Bill No. 2033, on second reading, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" changing the procedures for the handling of patients' funds and repealing inconsistent laws.

be recommitted to the Committee on Rules.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2302, entitled:

An Act amending the law of April 28, 1937 (P. L. 417) entitled "Milk Control Law" further regulating cash sales of milk on farms.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77), entitled "Public School Employes' Retirement Code of 1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject the approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE CONCURRENT RESOLUTION No. 100 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 15 of today's Calendar, House Concurrent Resolution No. 100.

The PRESIDENT. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Requesting the Joint State Government Commission to

investigate and evaluate the standards and procedures currently used by the Commonwealth in granting financial assistance to non-profit hospitals.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 100

Mr. BERGER. Mr. President, I move that the Senate do concur in this resolution.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I am not voicing an objection to the Senate concurring in this resolution. However, I would like to point out to the Members of this Body that I think this is sort of a roundabout way to face a problem.

We are asking the Joint State Government Commission to make a study of the nonprofit hospitals and the grants-in-aid which we make to them. There have been numerous studies made in this area. There was a copy of a report placed on every Senator's desk and on the desks of every Member of the House, about three or four weeks ago, put out by the Associated Hospitals. I admit that this might be somewhat of a biased report. However, I think the facts and figures contained therein are enough of a gauge for us to come to an intelligent decision about this entire problem.

The mere act of shifting or shuffling these matters about for someone else to make another study and come up with another report, which, unfortunately, most of us do not take the trouble to read, is a rather backward step, I think, in looking at an entire picture or program. This is especially true when we are dealing with aid for the people who cannot help themselves, and especially in the area where most of our hospitals in this Commonwealth are ending up in the red and where the aid which the Commonwealth gives them every year is growing larger and larger and their demands are becoming greater and greater. Instead of studying this problem, I think we should face up to it and decide to either give them more money or firmly say to the hospitals that we just cannot afford this kind of a burden and we will have to take some other means to attack this situation. By asking other people to study it and by appointing large committees to do so, I do not think is the answer to the problem.

I hate to bring in a humorous vein to a problem as serious as this one, but it reminds me of a gentleman who came from the Far East to America. He attended quite a number of dinners and at one of these dinners he heard the person who pronounced the benediction say, "The Father, Son and Holy Ghost." After he had attended a number of these dinners, he said to the gentleman sitting next to him, "I do not understand this entire situation. What is meant by, 'Father, Son and Holy Ghost?'" The gentleman went on to explain to him at quite some length about the Holy Trinity. When he finished, the guest said, "I do not understand this, but I guess this must be a religion in America where you have the committee system."

We are reduced to the same area here. We always refer to a committee or the committee system to solve a

problem. I do not think that can be done in this vein. I think we must face up to it and now is as good a time as any to do so.

Mr. BERGER. Mr. President, I think probably the gentleman wandered a little off in left field on that one. However, at the same time, I want to point out that the Joint State Government Commission is the body representing this Legislature to which problems such as this are always referred. The Members of this Legislature of the Commission.

I have no doubt that in studying this problem they will have access to the studies which were made by the Hospital Association and by other groups on this particularly vexing situation. As the gentleman said, we are faced with increased appropriations to these hospitals at every Session. Possibly there is some better method by which we might standardize the appropriations to these hospitals. That is what we want to find out.

Mr. President, I notice that the sponsors of the resolution are Messrs. Polen, McCann, Wood and Johnson, all leaders in the House on both sides. I agree thoroughly that this problem is a good subject for study and consideration.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PROPERT. Mr. President, I second the motion, The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 476, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 910, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the computation and payment of tuition charges for non-resident pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1186, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the

sale of surplus personal property by boards of school directors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1189, entitled:

An Act directing the Secretary of Public Welfare to enter into a contract of lease providing for the operation and maintenance of the Scranton State Hospital by a non-profit corporation organized for that purpose; providing for the terms of the lease including an option to purchase; providing for the operation and maintenance of the hospital under the lease; and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1675, entitled

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1904, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" defining the word "taxes" to include penalties and interest.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1927, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act" decreasing one tax clarifying certain types of aircraft.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2120, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" prescribing an alternative

method for fixing the rates of certain common carriers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2165, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2181, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and intersections in the State highway system and imposing duties on the Department of Highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2372, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2382, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the provisions which make certain worldly employment unlawful on Sunday.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2405, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" further defining the word "document."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

October 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ronald J. Ulmer, 413 Carbon Street, Minersville, Schuylkill County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice William A. Keller, Denver, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

October 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lawrence County Board of Assistance:

Mrs. Margaret Jennings Uber (Democrat), New Castle, Lawrence County, from June 21, 1957, until December 31, 1959, and until her successor is duly appointed and qualified.

Peter Genova (Democrat), Bessemer, Lawrence County,

from January 1, 1959, until December 31, 1961, and until his successor is duly appointed and qualified.

Mrs. Geraldine G. Westlake (Democrat), 2809 Princeton Avenue, New Castle, Lawrence County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Ralph H. Ramsey, New Castle, whose term expired.

DAVID L. LAWRENCE.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 4, Printer's No. 1487;
Senate Bill No. 124, Printer's No. 1488;
Senate Bill No. 298, Printer's No. 1489; and
Senate Bill No. 313, Printer's No. 1490.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 864

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WAGNER, EHRGOOD and SEYLER, as a Committee of Conference on part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 864.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 762

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. STEVENSON, MALLERY and KALMAN, as a Committee of Conference on part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 762.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1861

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ELLIOTT, SHAFER and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1861.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 959

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WHALLEY, KROMER and HAYS, as a Committee of Conference on part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 959.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION, SERIAL No. 77

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to Senate Resolution, Serial No. 77: the gentleman from Philadelphia, Senator Stiefel; the gentleman from Philadelphia, Senator Mullin, and the gentleman from Philadelphia, Senator Silvert.

SENATE CONCURRENT RESOLUTION TIME OF NEXT MEETING

Mr. BERGER offered the following resolution, which was read as follows:

In the Senate, October 20, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, November 9, 1959, at three o'clock p. m., EST., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, November 9, 1959, at four-thirty o'clock p. m., EST., unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate agree to the resolution?

Mr. WEINER. Mr. President, I am objecting to this resolution and my reasons for doing so are as follows:

I would first of all like to point out that there has been a Sine Die Resolution passed in the House, which would call for the Legislature to adjourn finally on Monday, October 26, 1959. I feel there is no pressing business here that should keep us in Session any longer than that date. If we stayed here and worked on these problems as they exist here now, we could clean up this Calendar and other matters that happen to be over in the House.

I also would like to point out that it costs \$7,000 a day for every day that we are in Session. I think this is a large sum of money to spend on a problem of this type when we could finish our business very easily within a very short period of time. I think simple multiplication can be done by anyone here to see the amount of money that we would be spending.

I would respectfully ask that the resolution that has come over here from the House be called up and acted upon by this Body, so that we can finally conclude our work and return to our respective Districts where there may be some other work to be done before we either meet in Annual Sessions or come back here in 1961.

Mr. BERGER. Mr. President, I heartily concur in the remarks of the gentleman, that we want to get through here just as soon as it is humanly possible to do so. As a matter of fact, I recall that back in September I introduced a Sine Die Resolution for the Legislature to adjourn around the 28th or 29th of September 1959, and it was very sincerely hoped that we could meet that date.

I think what the gentleman referred to relates to the amendment to that very resolution, as a matter of fact, Mr. President. However, in view of the situation existing, not the least of which was a statement made in the House last week that the Legislature should recess until the sixteenth day of November, it does not seem very prac-

tical that we now consider a resolution to adjourn sine die on the twenty-sixth of October.

Mr. President, we have rather insisted that we come back here on the ninth of November rather than the sixteenth as was suggested in the House, I believe, by Mr. McCANN, who has agreed that the ninth is probably a more reasonable date at the present time. Therefore, Mr. President, I do not believe that it is within the realm of possibility, as is well recognized by both sides, that we can dispose of the amount of work remaining before the Legislature to adjourn on the twenty-sixth day of October.

Therefore, Mr. President, I see no reason to have that resolution called up. It is more or less an empty gesture.

The PRESIDENT. Are you moving that this resolution be adopted, sir?

Mr. BERGER. Mr. President, I am not referring to the resolution that I just introduced. I am referring to the one the Senator wanted called up, the Sine Die Resolution.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. BARR. Senator Berger, can you, as the Republican leader, give me a target date when you think we will end this Session?

Mr. BERGER. Mr. President, I have endeavored on numerous occasions to give the gentlemen of the press a target date toward which we might shoot. By coming back on the ninth of November, we will at least have set forward the date of final adjournment by one week, rather than coming back on the sixteenth.

No, Senator Barr, I cannot give you a target date. I would be happy if you could give me one.

Mr. BARR. Mr. President, I would like to inform the gentleman that the House is going to complete their calendar tomorrow.

Mr. BERGER. Mr. President, I do not wonder about that. In the last three weeks, I think the House has probably passed more bills, which they might have acted on earlier in the Session, than they have passed during the previous weeks and months of this Session. I do believe that we ought to give some consideration to the work they have done over there.

Mr. BARR. Mr. Berger, are you insinuating that the House is not working as hard as the Senate?

Mr. BERGER. Well, I will leave that to the gentleman's own conclusion.

Mr. BARR. I will make the statement that I take my hat off to the House for the way they have worked. I cannot say the same thing for all of us over here.

Mr. BERGER. I accept the Senator's apology.

Mr. BARR. I was apologizing for the gentleman.

And the question recurring,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, October 21, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:20 o'clock, p. m., Eastern Standard Time, until Wednesday, October 21, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, October 20, 1959

The House met at 11:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Reverend George H. Toadvine, Jr., Pastor of St. Andrew's Episcopal Church of this city, guest Chaplain, offered the following prayer:

Almighty God, Who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves and be ever mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion, from pride and arrogance and from every evil way. Defend our liberties and fashion into one united people the multitudes brought hither out of many kindreds and tongues, and endow with a spirit of wisdom, those to whom in Thy name we entrust the authority of government, that there may be justice and peace at home and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity fill our hearts with thankfulness and in the day of trouble, suffer not our trust in Thee to fail. All of which we ask through Jesus Christ, our Lord, Amen.

O God, the Fountain of Wisdom, Whose statutes are good and gracious and Whose law is truth, we beseech Thee so to guide and bless the Legislature of this state that it may ordain for our government only such things as please Thee, to the glory of Thy name and the welfare of the people, through Jesus Christ, Thy Son, our Lord, Amen.

In the name of the Father, the Son and the Holy Ghost, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, October 19, 1959, will be postponed until printed.

The Chair hears none.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WHEELER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. KORNICK from the Committee on Highways, reported as committed, House Bill No. 778, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and construct a bridge over the Monongahela River at a point in the vicinity of the borough of Donora in Washington County and the City of Monessen in Westmoreland County * * * empowering counties to pay certain damages and making an appropriation.

Mr. ANDERSON from the Committee on Education, reported as committed, Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" permitting additional methods of sharing annual lease rentals for projects constructed for more than one school district.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 778, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and construct a bridge over the Monongahela River at a point in the vicinity of the borough of Donora in Washington County and the City of Monessen in Westmoreland County * * * empowering counties to pay certain damages and making an appropriation.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" permitting additional methods of sharing annual lease rentals for projects constructed for more than one school district.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restrictions limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2422, entitled:

An Act amending the "Uniform Commercial Code" approved April 6, 1953 (P. L. 3) correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 1168, Printer's No. 1414;

Senate Bill No. 1169, Printer's No. 1415;

Senate Bill No. 1170, Printer's No. 1416;

Senate Bill No. 1171, Printer's No. 1417; and

Senate Bill No. 1172, Printer's No. 1418,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any persons with respect to the disposition of any part of his remains to an eye bank.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MILLS for the remainder of the week because of illness.

BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up bills out of order on the third reading calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1261, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutionalized children in counties of the second class the cost thereof to be paid by the Commonwealth.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I will yield to the Chairman of the Committee on Appropriations regarding the questions.

The SPEAKER. The Majority Leader yields to the gentleman from Washington, the Chairman of the Appropriations Committee, Mr. Polen.

Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, the question has been raised by our Members as to how much if anything this bill would cost to the Commonwealth?

Mr. POLEN. Mr. Speaker, I do not have the amount that this bill would cost the Commonwealth, but it would not cost anything in addition to the amounts already being paid. There would be no additional cost under this bill.

Mr. TOMPKINS. There is a cost to the Commonwealth but there would be no additional cost?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. Could you give us any estimate as to what the present cost to the Commonwealth is? Are they presently subsidizing the schools?

Mr. POLEN. They are, Mr. Speaker.

Mr. TOMPKINS. Could you give us an estimate on that amount, do you have any recollection?

Mr. POLEN. I do not, Mr. Speaker. It would come out of the regular school subsidies and I do not know the amount. It would be true of any school where public classes are taught. It would be under the same—

Mr. TOMPKINS. We have been subsidizing this operation, but this will not cost any additional funds, is that right, Mr. Speaker?

Mr. POLEN. That is correct.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Agnew,	Fox,	McLaughlin,	Rovansek,
Anderson,	Frank,	Machmer,	Sakulsky,
Arlene,	Frascella,	Markley,	Scarcelli,
Auker,	Galley,	Maxwell,	Schaaf,
Balthaser,	Gallagher,	Meholchick,	Schuster,
Boles,	Garlock,	Mihm,	Sherman,
Bonner,	Gibb,	Miller, B. Z.,	Shupnik,
Boris,	Goldstein,	Monroe,	Silverman,
Branca,	Hamilton,	Muldowney,	Snare,
Breth,	Heavey,	Mullen,	Snider,
Buchanan,	Hefner,	Munley,	Stank,
Burns,	Hocker,	Murphy, A. J., Jr.,	Steckel,
Capano,	Holt,	Murphy, F. J.,	Stevens,
Capitolo,	Irvis,	Murray, J. J.,	Stewart,
Cianfrani,	Jenkins,	Murray, P. G.,	Stimmel,
Cioffi,	Jim,	Musto,	Stone,
Clarke,	Jones, F. R.,	Naugle,	Sullivan,
Comer,	Jump,	Needham,	Taylor,
Crossin,	Kamyk,	Nelson,	Trusio,
Curwood,	Kee,	O'Donnell, J. A.,	Varallo,

Dennis,	Kelser,	O'Donnell, J. P.	Varner,
Dennison,	Knecht,	O'Neill,	Verona,
Devlin,	Kooker,	Parlante,	Walsh,
Donaldson,	Kornick,	Pashley,	Wargo,
Dougherty,	Kovolenko,	Perry, H. H.,	Welsh,
Down,	Kubitsky,	Perry, P. E.,	Wheeler,
Eilberg,	Lamb,	Petrosky,	Williams, A. D., Jr.,
Eshleman,	Leonard,	Polaski,	Wilt,
Ewing,	Limper,	Polen,	Wood,
Farabaugh,	Lopresti,	Prendergast,	Worley,
Filo,	Luigard,	Reibman,	Yatron,
Fineman,	Lutty,	Reidenbach,	Yetter,
Floyd,	McCann,	Renwick,	Andrews,
Flynn,	McCormack,	Rigby,	Speaker
Foerster,	McDonald,	Riley,	

NAYS—54

Ashton,	George,	Lee, K. B.,	Pursley,
Barton,	Goodrich,	Light,	Seltzer,
Bell,	Gramlich,	Lippincott,	Stoner,
Blair,	Guthrie,	McCandless,	Strausser,
Bower,	Henzel,	McInroy,	Tompkins,
Brenninger,	Holliday,	Magee,	Wall,
Brown,	Horst,	Mahan,	Weidner,
Davis,	Isaacs,	Merry,	Whittaker,
Dengler,	Johnson, R.,	Miller, B. Z.,	Williams, E. S.,
Donahue,	Jones, T. H. W.,	Murray, H. P.,	Willard,
Edwards,	Kernaghan,	O'Dell,	Willaredt,
Eshback,	Kessler,	Odorisio,	Zimmerman,
Fetterolf,	Korns,	Ogilvie,	
Fulmer,	Lee, A. M.,	Price,	

NOT VOTING—16

Bowman,	Johnson, A. W.,	Royer,	Thompson.
Cooper,	McKeever,	Ruddall,	Ujohal,
Gelfand,	Mills,	Schwartz,	Wescott,
Helm,	Moran,	Stroup,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from York, Mr. Gailey, to preside temporarily.

MR. GAILEY IN THE CHAIR

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1647, entitled:

An Act amending the act of June 4 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class * * *" extending the provisions of the act to include certain per diem employes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Fox,	Luigard,	Reidenbach,
Anderson,	Frank,	Lutty,	Renwick,

Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Frascella, Fulmer, Galley, Gallagher, Garlock, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti,	McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Rigby, Riley, Rovanseck, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—16

Bowman, Cooper, Gelfand, Helm,	Johnson, A. W., McKeever, Mills, Moran,	Royer, Rudisill, Schwartz, Stroup,	Thompson, Ujobal, Wescott, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Agnew, Anderson, Arlene, Ashton,	Frank, Frascella, Fulmer, Galley,	Lippincott, Lulgard, Lutty, McCann,	Renwick, Rigby, Riley, Sakulsky,
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Auker, Balthaser, Bell, Blair, Boles, Bonner, Boris, Bower, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Gallagher, George, Gibb, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Merry, Mihm, Miller, B. Z., Miller, H. G., Monroe, Muldowney, Mullen, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Naugle, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, O'Neil, Parlante, Pashley, Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Walsh, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Yatron, Yetter, Andrews, Speaker
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NAYS—26

Barton, Crossin, Curwood, Edwards, Eshleman, Farabaugh, Fox,	Garlock, Goldstein, Goodrich, Lopresti, McCandless, Meholchick, Munley,	Musto, Needham, Nelson, O'Dell, Perry, H. H., Rovanseck,	Wall, Wargo, Weidner, Willard, Worley, Zimmerman,
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NOT VOTING—16

Bowman, Cooper, Gelfand, Helm,	Johnson, A. W., McKeever, Mills, Moran,	Royer, Rudisill, Schwartz, Stroup,	Thompson, Ujobal, Wescott, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

HANNA PENN STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair notes the presence in the Hall of the House, appropriately enough, of a delegation of students from the Hanna Penn Junior High School in York, Pennsylvania. They are here with their instructors, Mr. Charles Martin and Mr. John Minnich, and I am pleased to say they are the guests of the Chair.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1963, entitled:

An Act amending the act of December 22, 1951 (P. L. 1715) entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen

from meetings "removing the maximum limitation on salaries of councilmen.

On the question,

Will the House agree to the bill on third reading?

It was agreed to. ..

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, will one of the sponsors of this bill consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Lamb, consent to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, under the terms of this bill it will be possible, will it not, for the city councilmen to fix themselves whatever salaries they deem proper, be it \$25,000 or \$50,000 per year? Is that correct?

Mr. LAMB. Mr. Speaker, it would be possible, although I do not think it is probable.

Mr. GOLDSTEIN. Thank you.

Mr. Speaker, I merely wanted to pinpoint the fact that this is something new in the history of the city of Pittsburgh whereby city council will be allowed to name any salary it sees fit for itself. If the Members of the Legislature wish to increase the salary to the city councilmen, we feel they should do it with limitations. We believe this to be unsound legislation. We think if the councilmen of the city of Pittsburgh want to have that discretionary authority, the bill should have provided for a minimum and maximum salary and then placed the burden upon the local government. But to give them no ceiling whatsoever is a dangerous precedent. We therefore ask that we have more negative than affirmative votes on the bill.

Mr. LAMB. Mr. Speaker, I certainly realize that under the terms of this bill city council could set for itself whatever pay raise or whatever salaries it deemed advisable; however, I think there is certainly an impediment to that in that any raise they would set would certainly have to meet the approval of the electorate. Certainly they are not going to raise themselves to such an extent that the people of the city of Pittsburgh are going to vote them out of office.

This bill was proposed by the League of Cities. It was intended that the councilmen, that is, the people in the city of Pittsburgh, should certainly direct or set what the councilman's pay should be. It is another attempt to make it a matter of home rule. Certainly we here in Harrisburg are not on the scene and are not close enough to the subject to know what the councilmen of the city of Pittsburgh are worth. I feel this is good legislation, and I certainly feel, I am sure, that the council of the city of Pittsburgh is not going to raise these salaries to bring down the wrath and indignation on the part of the people of the city.

I might also say that we here in the Legislature set our own salaries, and we are somewhat akin to the members of the city council.

Mr. RIGBY. Mr. Speaker, I wonder if the gentleman would consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Lamb, consent to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, I believe the gentleman from Allegheny inferred that the electorate of the city of Pitts-

burgh would be allowed to have a voice in the increase in the wages; is that so?

Mr. LAMB. I hope I did not say that. That certainly was not my intent, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, the gentleman inferred that that would be so. I believe this a very bad piece of legislation, and that it should never have been introduced in this House. I certainly hope all my friends on this side will vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Anderson,	Frank,	Meholchick,	Renwick,
Arlene,	Frascella,	Mihm,	Riley,
Balthaser,	Galley,	Monroe,	Sakulsky,
Boles,	Gallagher,	Muldowney,	Scarcelli,
Bonner,	Gullock,	Mullen,	Schaaf,
Branca,	Hamilton,	Munley,	Schuster,
Breth,	Heavey,	Murphy, A. J., Jr.	Sherman,
Burns,	Holt,	Musto,	Shupnik,
Capano,	Jenkins,	Needham,	Silverman,
Capitolo,	Jim,	Nelson,	Snider,
Cianfrani,	Jones, F. R.,	O'Donnell, J. A.,	Stank,
Cioffi,	Kamyk,	O'Donnell, J. P.	Stone,
Comer,	Kornick,	O'Neill,	Sullivan,
Crossin,	Kovolenko,	Parlante,	Taylor,
Curwood,	Leonard,	Pashley,	Varallo,
Dennis,	Limper,	Perry, H. H.,	Verona,
Devlin,	Lopresti,	Perry, P. E.,	Walsh,
Dougherty,	Luigard,	Petrosky,	Wargo,
Eilberg,	Lutty,	Polaski,	Welsh,
Filo,	McCann,	Polen,	Wheeler,
Fineman,	McDonald,	Prendergast,	Yatron,
Floyd,	McLaughlin,	Reibman,	Yetter,
Flynn,	Maxwell,	Reldenbach,	Andrews,
Foerster,			Speaker

NAYS—96

Ashton,	Fulmer,	Lamb,	Rovansek,
Auker,	George,	Lee, A. M.,	Royer,
Barton,	Gibb,	Lee, K. B.,	Seltzer,
Bell,	Goldstein,	Light,	Snare,
Blair,	Goodrich,	Lippincott,	Steckel,
Boris,	Gramlich,	McCandless,	Stevens,
Bower,	Guthrie,	McInroy,	Stewart,
Brenninger,	Heffner,	Machmer,	Stimmel,
Brown,	Henzel,	Magee,	Stoner,
Buchanan,	Hocker,	Mahan,	Strausser,
Clarke,	Holliday,	Markley,	Tompkins,
Davis,	Horst,	Merry,	Varnar,
Dengler,	Irvls,	Miller, B. Z.,	Wall,
Dennison,	Isaacs,	Miller, H. G.,	Weidner,
Donahue,	Johnson, R.,	Murphy, P. J.,	Whittaker,
Donaldson,	Jump,	Murray, H. P.,	Williams, A. D., Jr.,
Down,	Kee,	Murray, P. G.,	Williams, E. S.,
Edwards,	Kelser,	Naugle,	Willard,
Eshback,	Kernaghan,	O'Dell,	Willaredt,
Eshleman,	Kessler,	Odorisio,	Wilt,
Ewing,	Knecht,	Ogilvie,	Wood,
Farabaugh,	Kooker,	Price,	Worley,
Fetterolf,	Korua,	Pursley,	Wynd,
Fox,	Kubitsky,	Rigby,	Zimmerman,

NOT VOTING—19

Agnew,	Johnson, A. W.,	Moran,	Thompson,
Bowman,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Cooper,	McCormack,	Rudisill,	Ujohal,
Gelfand,	McKeever,	Schwartz,	Wescott,
Heim,	Millis,	Stroup,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MULDOWNNEY asked and obtained permission

for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to have permission to announce to the House our working schedule today.

We will leave the Hall of the House no later than a quarter of two for lunch and a caucus. The recess will be requested for a period of one hour and thirty minutes, of which 45 minutes will be for lunch and 45 minutes will be for the caucus. At that time we will return to the House, and I believe we will work until about 7:30, Daylight Saving Time, hoping to clean approximately 50 bills today from the calendar, or in that neighborhood.

Controversial bills will be brought up following the caucus on a special order of business, in which debate will follow in line. Many controversial bills are scheduled today, and will be scheduled tomorrow and roll call votes will be taken.

Mr. TOMPKINS. Mr. Speaker, immediately after lunch we will have a Republican caucus. It is very important that we cover some of these bills that are on special order, so please bring your calendars with you.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2171, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards * * *

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 3104.1), page 4, lines 18 to 20, page 5, lines 1 to 5, by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159) further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds and declaring the effect and validating certain prior transactions for the borrowing of money.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

YEAS—193

Agnew,	Frascella,	McCormack,	Rovansek,
Anderson,	Fulmer,	McDonald,	Royer,
Arlene,	Galley,	McInroy,	Sakulsky,
Ashton,	Gallagher,	McLaughlin,	Scarcell,
Auker,	Garlock,	Machmer,	Schaaf,
Balthaser,	George,	Mages,	Schuster,
Barton,	Gibb,	Mahan,	Seltzer,
Bell,	Goldstein,	Markley,	Sherman,
Blair,	Goodrich,	Maxwell,	Shupnik,
Boies,	Gramlich,	Meholchick,	Silverman,
Bonner,	Guthrie,	Merry,	Snare,
Boris,	Hamilton,	Mihm,	Snider,
Bower,	Heavey,	Miller, B. Z.,	Stank,
Branca,	Heffner,	Miller, H. G.,	Steckel,
Brenninger,	Henzel,	Monroe,	Stevens,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Irviss,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Sullivan,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, R.,	Murray, P. G.,	Tompkins,
Comer,	Jones, F. R.,	Musto,	Trusio,
Crossin,	Jones, T. H. W.,	Naugle,	Ujobal,
Curwood,	Jump,	Needham,	Varallo,
Davis,	Kamyk,	Nelson,	Varnier,
Dengler,	Kee,	O'Dell,	Verona,
Dennis,	Keiser,	O'Donnell, J. A.,	Wall,
Dennison,	Kernaghan,	O'Donnell, J. P.	Walsh,
Devlin,	Kessler,	Odorisio,	Wargo,
Donahue,	Knecht,	Oglvie,	Weidner,
Donaldson,	Kooker,	O'Neil,	Welsh,
Dougherty,	Kornick,	Parlante,	Wheeler,
Down,	Korns,	Pashley,	Whittaker,
Edwards,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eilberg,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Eshback,	Lamb,	Petrosky,	Willard,
Eshleman,	Lee, A. M.,	Polaski,	Willaredt,
Ewing,	Lee, K. B.,	Polen,	Wilt,
Farabaugh,	Leonard,	Prendergast,	Wood,
Fetterolf,	Light,	Price,	Worley,
Filo,	Limper,	Pursley,	Wynd,
Fineman,	Lippincott,	Reibman,	Yatron,
Floyd,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Luigard,	Renwick,	Zimmerman,
Foerster,	Lutty,	Rigby,	
Fox,	McCandless,	Riley,	Andrews,
Frank,	McCann,		Speaker

NAYS—2

Brown,

Hocker,

NOT VOTING—13

Bowman,
Cooper,
Gelfand,
Helm,

Johnson, A. W.,
McKeever,
Mills,
Moran,
Rudisill,
Schwartz,

Stroup,
Thompson,
Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County * * *" changing the location at which the bridge is to be erected.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew,	Frank,	McCandless,	Rigby,
Anderson,	Frascella,	McCann,	Riley,
Arlene,	Fulmer,	McCormack,	Rovanssek,
Ashton,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McLaughlin,	Scarcelli,
Barton,	George,	Machmer,	Schaaf,
Bell,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Seltzer,
Boies,	Goodrich,	Markley,	Sherman,
Bonner,	Gramlich,	Maxwell,	Shupnik,
Boris,	Guthrie,	Meholchick,	Silverman,
Bower,	Hamilton,	Merry,	Snare,
Branca,	Heavey,	Mihm,	Snider,
Brenninger,	Heffner,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Monroe,	Stevens,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Sullivan,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, R.,	Murray, P. G.,	Tompkins,
Crossin,	Jones, F. R.,	Musto,	Trusio,
Curwood,	Jones, T. H. W.,	Naugle,	Ujobal,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varner,
Dennis,	Kee,	O'Dell,	Verona,
Dennison,	Kelser,	O'Donnell, J. A.,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Donaldson,	Knecht,	Ogilvie,	Weidner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Kornick,	Parlante,	Wheeler,
Edwards,	Korns,	Pashley,	Whittaker,
Ellberg,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lamb,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wilt,
Fetterolf,	Leonard,	Prendergast,	Wood,
Filo,	Light,	Price,	Wynd,
Fineman,	Limper,	Pursley,	Yatron,
Floyd,	Lippincott,	Reibman,	Yetter,
Flynn,	Lopresti,	Reidenbach,	Zimmerman,
Foerster,	Luigard,	Renwick,	Andrews,
Fox,	Lutty,		Speaker

NAYS—1

Worley,

NOT VOTING—13

Bowman,	Johnson, A. W.,	Moran,	Stroup,
Cooper,	McKeever,	Rudisill,	Thompson,
Gelfand,	Mills,	Schwartz,	Wescott,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PURSLEY asked and obtained unanimous consent to add additional sponsors to a bill to be reported by him.

REPORTS FROM COMMITTEE

Mr. BRANCA from the Committee on Motor Vehicles, reported as amended, House Bill No. 161, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors, "changing limitations upon the operation of commercial motor vehicles for carriage of passengers.

Mr. TAYLOR from the Committee on Motor Vehicles, reported as amended, House Bill No. 591, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors, "requiring school buses to be equipped with a pressurized dry chemical fire extinguisher and providing penalties.

Mr. BRANCA from the Committee on Motor Vehicles, reported as amended, House Bill No. 1002, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," providing additional enforcement procedures on traffic violations in boroughs towns and townships.

Mr. ISAACS from the Committee on Municipal Corporations, re-reported as committed, Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

Mr. PRICE from the Committee on Ways and Means, reported as committed, House Bill No. 2098, entitled:

An Act amending the "Unfair Cigarette Sales Act," approved May 20, 1949 (P. L. 1584) making technical changes therein.

Mr. PURSLEY from the Committee on Counties, reported as committed, House Bill No. 2150, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

Mr. YATRON from the Committee on Highways, reported as committed, House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

Mr. VARNER from the Committee on Ways and Means, reported as committed, Senate Bill No. 216, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the creation of capital reserve funds regulating the use of such funds and authorizing the levying of taxes.

Mr. CIOFFI from the Committee on Ways and Means, reported as committed, Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2098, entitled:

An Act amending the "Unfair Cigarette Sales Act," approved May 20, 1949 (P. L. 1584) making technical changes therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2150, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the creation of capital reserve funds regulating the use of such funds and authorizing the levying of taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

By Mr. P. E. PERRY. HOUSE BILL No. 2432.

An Act establishing a Court of Conciliation in Philadelphia County, prescribing its jurisdiction, powers and duties, and providing for hearings, service of process and procedure before the court.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been

prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1179.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for powers responsibilities duties and limitations of the Governor * * * including the Pennsylvania Air National Guard within the provisions of this act.

HOUSE BILL No. 1198.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines.

HOUSE BILL No. 2123.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

HOUSE BILL No. 2264.

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

HOUSE BILL No. 2266.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing the applicability of the act and the inspection period imposing certain duties on mine inspectors superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER pro tempore. Before declaring the recess the Chair would like to thank the Speaker for the opportunity of presiding, and the Members for their attention during this period of time.

QUESTION OF PERSONAL PRIVILEGE

Mr. J. J. MURRAY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. J. J. MURRAY. Mr. Speaker, I want to say that during this time it has been a distinct pleasure for me to serve under the speakership of Mr. Gailey, and because of that I wish to go on record as saying so. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Needless to say, the Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of one hour and thirty minutes.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. GAILEY IN THE CHAIR.

BILL INTRODUCED AND REFERRED

By Mr. J. P. O'DONNELL.

HOUSE BILL No. 2433.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting unprotected open dirt excavations and land fill operations as determined by the Department of Labor and Industry in places accessible to children within cities of the first class.

Referred to the Committee on Rules.

RECONSIDERATION OF VOTE ON SENATE
BILL No. 184

Mr. STIMMEL. Mr. Speaker, I move that the vote by which Senate Bill No. 184, Printer's No. 198, entitled:

"An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled 'An act to define and restrict the obligation of persons engaged on, connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons,' extending the provisions of the act to include certain persons connected with radio and television stations."

was defeated on Final Passage Thursday, October 15, 1959, be reconsidered.

Mr. GOODRICH. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Lehigh, Mr. Stimmel vote on the final passage of this bill?

Mr. STIMMEL. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Potter, Mr. Goodrich vote on the final passage of this bill?

Mr. GOODRICH. Mr. Speaker, I voted with the prevailing side.

One the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. STIMMEL. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 2237

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, Pa., October 20, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2237, Printer's No. 1758, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' clarifying and revising the provisions relating to obscene literature and objects and fixing the penalty for violating the provisions."

DAVID L. LAWRENCE.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN
BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 4.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

SENATE BILL No. 124.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

SENATE BILL No. 298.

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

SENATE BILL No. 313.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

PERMISSION GRANTED COMMITTEE TO MEET
DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 2355.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 4.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of gasoline in glass containers.

SENATE BILL No. 19.

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" providing for the appointment of special investigators.

SENATE BILL No. 124.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto.

SENATE BILL No. 187.

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

SENATE BILL No. 202.

An Act amending the act of May 9, 1949 (P. L. 919) entitled "An Act designating certain clerks of courts agent of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth * * * changing the day for rendering certain returns to the Department of Revenue.

SENATE BILL No. 233.

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law," changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to the shareholders the fixing of the date of shareholders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate asset the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by *Block v Baldwin Locomotive Works* 75 D & C 24 and *Marks v The Autocar Co* 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

SENATE BILL No. 259.

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to settlement of small estates on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution of small estates bonds of guardians named in conveyance and powers duties and liabilities of guardians appointed by court.

SENATE BILL No. 298.

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

SENATE BILL No. 304.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

SENATE BILL No. 313.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring the Department of Revenue to issue duplicate registration cards if so requested and the prescribed fee is paid.

SENATE BILL No. 374.

An Act amending the act of May 28, 1931 (P. L. 202)

entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth . . ." changing the license year to commence the first day of January each year.

SENATE BILL No. 382.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the assessing and levying of taxes by all school board members when union districts are first created.

SENATE BILL No. 456.

An Act repealing the act of March 12, 1873 (P. L. 271) entitled "An act to prohibit the keeping of billiard rooms bowling saloons and ten-pin alleys within two miles of the State Normal School at Mansfield in the county of Tioga."

SENATE BILL No. 490.

An Act amending the act of May 14, 1929 (P. L. 1721) entitled as amended "An act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania . . ." providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania.

SENATE BILL No. 499.

An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases.

SENATE BILL No. 697.

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

SENATE BILL No. 698.

An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof; providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof; and repealing certain acts and parts of acts relating to railroad corporations.

SENATE BILL No. 736.

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

SENATE BILL No. 816.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

SENATE BILL No. 823.

An Act amending the act of August 10 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

SENATE BILL No. 824.

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . ." further providing for the taking of exceptions to rulings of the trial judge.

SENATE BILL No. 835.

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of Health of the Commonwealth of Pennsylvania and prescribing penalties.

SENATE BILL No. 839.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" further regulating the use of blue warning lights by volunteer firemen and members of hose companies.

Whereupon, The **SPEAKER** in the presence of the House, signed the same.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Agnew,	Frank,	McCann,	Rovansek,
Anderson,	Frascella,	McCormack,	Royer,
Arlene,	Fulmer,	McDonald,	Sakulsky,
Ashton,	Galley,	McInroy,	Scarcell,
Auker,	Gallagher,	McLaughlin,	Schaaf,
Balthaser,	Garlock,	Machmer,	Schuster,
Barton,	George,	Magee,	Schwartz,
Bell,	Gibb,	Mahan,	Seltzer,
Blair,	Goldstein,	Markley,	Sherman,
Boles,	Goodrich,	Maxwell,	Shupnik,
Bonner,	Gramlich,	Meholchick,	Silverman,
Boris,	Guthrie,	Merry,	Snare,
Bower,	Hamilton,	Mihm,	Snider,
Bowman,	Heavey,	Miller, B. Z.,	Steckel,
Branca,	Heffner,	Miller, H. G.,	Stevens,
Brenninger,	Henzel,	Monroe,	Stewart,
Breth,	Hocker,	Muldowney,	Stimmel,
Brown,	Holliday,	Mullen,	Stone,
Buchanan,	Holt,	Munley,	Stoner,
Burns,	Horst,	Murphy, A. J., Jr.	Strausser,
Capano,	Irviss,	Murphy, P. J.,	Sullivan,
Capitolo,	Isaacs,	Murray, H. P.,	Taylor,
Cianfrani,	Jenkins,	Murray, J. J.,	Tompkins,
Cioffi,	Jim,	Murray, P. G.,	Trusio,
Clarke,	Johnson, R.,	Musto,	Ujober,
Comer,	Jones, F. E.,	Naugle,	Varallo,
Crossin,	Jones, T. H. W.,	Needham,	Varnar,
Curwood,	Jump,	Nelson,	Verona,
Davis,	Kamyk,	O'Dell,	Wall,
Dengler,	Kee,	O'Donnell, J. A.,	Walsh,
Dennis,	Keiser,	O'Donnell, J. P.	Wargo,
Dennison,	Kernaghan,	Odorisio,	Weldner,
Devlin,	Kessler,	Ogilvie,	Welsh,
Donahue,	Knecht,	O'Neill,	Wescott,
Donaldson,	Kooker,	Parlante,	Wheeler,
Dougherty,	Kornick,	Pashley,	Whittaker,
Down,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Edwards,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Ellberg,	Kubitsky,	Petrosky,	Willard,
Eshback,	Lamb,	Polaski,	Willard,
Eshleman,	Lee, A. M.,	Polen,	Willard,

Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,

Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,

Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rigby,
Riley,

Wilt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—10

Cooper,
Gelfand,
Helm,

Johnson, A. W.,
McKeever,
Mills,
Moran,
Rudisill,
Stroup,

Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2409, entitled:

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township Fayette County to the government of the United States for use as a National Park and with certain reservations ceding jurisdiction over such lands.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Sakulsky,
Arlene,	Galley,	McDonald,	Scarcell,
Ashton,	Gallagher,	McInroy,	Schaaf,
Auker,	Garlock,	McLaughlin,	Schuster,
Balthaser,	George,	Machmer,	Schwartz,
Barton,	Gibb,	Magee,	Seltzer,
Bell,	Goldstein,	Mahan,	Sherman,
Blair,	Goodrich,	Markley,	Shupnik,
Boles,	Gramlich,	Maxwell,	Silverman,
Boris,	Guthrie,	Meholchick,	Snare,
Bower,	Hamilton,	Merry,	Snider,
Bowman,	Heavey,	Mihm,	Stank,
Branca,	Heffner,	Miller, B. Z.,	Steckel,
Brenninger,	Henzel,	Miller, H. G.,	Stevens,
Breth,	Hocker,	Monroe,	Stewart,
Brown,	Holliday,	Muldowney,	Stimmel,
Buchanan,	Holt,	Mullen,	Stone,
Burns,	Horst,	Munley,	Stoner,
Capano,	Irviss,	Murphy, A. J., Jr.,	Strausser,
Capitolo,	Isaacs,	Murphy, P. J.,	Sullivan,
Cianfrani,	Jenkins,	Murray, H. P.	Taylor,
Cioffi,	Jim,	Murray, J. J.,	Tompkins,
Clarke,	Johnson, R.,	Murray, P. G.,	Trusio,
Comer,	Jones, F. R.,	Musto,	Ujober,
Crossin,	Jones, T. H. W.,	Naugle,	Varallo,
Curwood,	Jump,	Needham,	Varnar,
Davis,	Kamyk,	Nelson,	Verona,
Dengler,	Kee,	O'Dell,	Wall,
Dennis,	Keiser,	O'Donnell, J. A.,	Walsh,
Dennison,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Devlin,	Kessler,	Odorisio,	Weldner,
Donahue,	Knecht,	Ogilvie,	Welsh,
Donaldson,	Kooker,	Parlante,	Wescott,
Dougherty,	Kornick,	Pashley,	Wheeler,
Down,	Korns,	Perry, H. H.,	Whittaker,
Edwards,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kubitsky,	Petrosky,	Williams, E. S.,
Eshback,	Lamb,	Polaski,	Willard,
Eshleman,	Lee, A. M.,	Polen,	Willard,
	Lee, K. B.,		Willard,
	Leonard,		Willard,

Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—4

Bonner,	Farabaugh,	O'Neill,	Rovansek,
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NOT VOTING—10

Cooper, Gelfand, Helm,	Johnson, A. W., McKeever, Mills,	Moran, Rudisill, Stroup,	Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2410, entitled:

An Act amending the act of May 28, 1931 (P. L. 202) entitled "An Act providing for the licensing and regulation of motor boats operated or navigated upon any public stream * * * non-tidal waters of any river within the Commonwealth * * *" providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg,	Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Isaacs, Irvis, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky,	McCann, McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky,	Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard,
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Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovansek,	Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—10

Cooper, Gelfand, Helm,	Johnson, A. W., McKeever, Mills,	Moran, Rudisill, Stroup, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued and exempting concert music halls maintained by public or private charities from taxation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER pro tempore. The gentleman does not appear to be in the hall of the House.

The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, momentarily the gentleman from Philadelphia, Mr. Dougherty, is out of the House.

I understand House Bill 2411, even though it pertains to the general county assessment law, this pertains to exempting concert music halls that would be handled in this category and it would apply in any county under this code. Mr. Tompkins asked me questions earlier in the conference, and I would like to have Mr. Dougherty answer them, but if he is not here we will pass it over.

Mr. HEAVEY. Maybe I can answer Mr. Tompkins' questions.

Mr. McCANN. Well, that would be quite alright, Mr. Speaker, if he has the information.

Mr. TOMPKINS. Mr. Speaker, page 5 of the bill amends the prior act by inserting "concert music halls," but on the bottom of page 2 and the top of page 3 an amendment reads. "Provided however That if property owned by an organization formed primarily for purposes exempt by law from taxation, is used partly for exempt purposes and partly for non-exempt purposes only that part measured either in area or in time which ever is the lesser, which is used for non-exempt purposes shall be valued, assessed and subject to taxation."

The point of our inquiry is this, would this provision in the bill require a set-up of let us take a veterans' post,

which is partly owned or used for commercial purposes and partly used for veterans' purposes, would this require assessment according to the formula set forth which I have just read?

Mr. HEAVEY. Mr. Speaker, this bill was designed to help our historical Academy of Music in Philadelphia, that was the purpose of the bill. The old academy has housed the opera and the Philadelphia Orchestra for years, and these later years they have had a deficit. They have had to make up this deficit by giving the hundred dollar dinners, by public spirited citizens and in addition to that they have collected \$600,000 through these dinners and spent \$300,000 remodeling the old hall. They will have to have an additional \$1 million. In other words a total of \$1.6 million that they intend to spend on this historical hall that houses the opera and the orchestra. It all comes from public spirited citizens, dinners and so forth. It has been running into deficiencies in later years on account of everything going up, so therefore the bill was drawn up to help the academy with their tax problems, to rebate the taxes.

Mr. TOMPKINS. Mr. Speaker, I am in wholehearted sympathy with the objective which the gentleman has stated. The bill on page 5 is amended to include music halls but the question which I asked was that the amendment which is contained at the bottom of page 2 and the top of page 3 is not limited to the music hall in Philadelphia, it is general throughout the state of Pennsylvania. If the gentleman wants it limited to handling things in the city of Philadelphia, particularly the music hall, we are perfectly willing to amend the bill to accomplish that purpose, but as we read the amendments at the bottom of page 2 and page 3 it opens the door throughout the entire Commonwealth of Pennsylvania and sets up confusion on all of these matters. I merely picked a veterans' post as an example, in connection with this amendment at the bottom of page 2 and top of page 3. I wish they would look at it very carefully and determine that point because we have no objection to taking care of the Philadelphia music hall, but we do have objection to setting up a formula like this statewide, which might affect all of those institutions, among which I mentioned, the veterans' post.

Mr. HEAVEY. Well, Mr. Speaker, I would be very happy to go along with Mr. Tompkins, because I am not a lawyer and I could not debate the questions in the bill which he has brought up. The statement that I made previously is really—

The SPEAKER pro tempore. Will the gentleman yield to the gentleman from Philadelphia, Mr. Fineman, who may be able to throw some light on this matter.

Mr. HEAVEY. Well, will you just let me finish for just a second, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has the floor.

Mr. HEAVEY. Mr. Tompkins, what I previously said is the real essence of the bill and why it was brought up. I would be very happy to go over any readjustment of this bill with you to straighten you out and eliminate the confusion you seem to have.

Mr. FINEMAN. Mr. Speaker, with the consent of the gentleman who is on the floor, I would respectfully submit that perhaps this bill ought to be passed over tem-

porarily until we have had an opportunity to procure more accurate information concerning it.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. FINEMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1342, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) excepting certain clubs from the quota limitations.

On the question,
Shall the bill pass finally?

Mr. MCINROY. Mr. Speaker and Members of the House, this bill was defeated on October 13 by a vote of 92 to 92. I said on that day that it is doubtful whether this bill is constitutional. I would like to read into the record just a short statement made on July 5, 1947 by Governor Duff when he vetoed a similar bill.

Governor Duff said, and I quote:

Legislation conferring privileges and preferences upon war veterans in recognition of their services has been sanctioned by a grateful public throughout the history of the Commonwealth but should not conflict with police regulations or an important policy of the Commonwealth.

Making a separate class of veterans' organizations for the purpose of receiving licenses to sell liquor would, in our opinion, amount to special legislation and be clearly unconstitutional.

As I said on October 13, even if it were constitutional, it would permit the opening of the doors, and certainly many of us believe that the quota method is the best method of handling the granting of liquor licenses. If we would open the quota to thousands and thousands of clubs who might want to come into Pennsylvania, certainly our situation would not be improved.

Therefore, I ask each Member to vote this bill down.

Mr. A. J. MURPHY. Mr. Speaker, last week we discussed this bill at length. I would only like to say that subsequent to that time we have amended this bill to limit it to veterans' clubs now in existence or in existence one year prior to the effective date of this act, so it will not throw the doors open to every group of men who desire to organize and call themselves a veterans' organization in the future. It is limited to those organizations which today, in fact, one year ago, were bona fide veterans' organizations, and I again appeal to the Members of the House to cast their vote in favor of this legislation and give these veterans the same opportunity as their brothers in other clubs and organizations have had during the years.

Mr. MCINROY. Mr. Speaker, I certainly recognize that, but it would still open the quota. We are not unsympathetic to veterans' organizations, but you are giving it to veterans' organizations already in existence, so you are making an exception to the quota.

Mr. PRENDERGAST. Mr. Speaker, Mr. McInroy from Tioga County has stated that this would open the door to thousands and thousands of additional applications for liquor licenses by veterans' organizations, and as Mr. Murphy pointed out, and I want to reaffirm, this is not true. It only applies to clubs which have been in existence one year prior to the effective date of the act. I think that the constitutionality of the bill is a question for the courts and cannot be decided on this floor.

I feel that it is a good bill, a bill which should have been law some years ago. I urge every Member of this House to give this bill every consideration and vote in favor of it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. MCINROY, GOODRICH and BOWMAN. The roll was verified and was as follows:

YEAS—107

Anderson,	Needham,	Lopresti,	Sakulsky,
Arlene,	O'Donnell, J. A.,	Luigard,	Scarcell,
Auker,	O'Donnell, J. P.,	Lutty,	Schaaf,
Balthaser,	O'Neil,	McCann,	Schuster,
Bell,	Parlante,	McCormack,	Sherman,
Boies,	Pashley,	Machmer,	Shupnik,
Bonner,	Perry, P. E.,	Markley,	Silverman,
Branca,	Foerster,	Maxwell,	Snider,
Breth,	Frank,	Meholchick,	Stank,
Burns,	Frascella,	Mihm,	Steckel,
Capano,	Fulmer,	Monroe,	Stevens,
Capitolo,	Heavey,	Muldowney,	Stimmel,
Cianfrani,	Holt,	Mullen,	Stone,
Cioffi,	Horst,	Munley,	Sullivan,
Clarke,	Irvs,	Murphy, A. J., Jr.	Taylor,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Petrosky,	Verona,
Dennis,	Jump,	Polaski,	Walsh,
Devlin,	Kamyk,	Polen,	Wargo,
Dougherty,	Kee,	Prendergast,	Welsh,
Ellberg,	Kornick,	Reidman,	Yetter,
Farabaugh,	Kovolenko,	Reidenbach,	
Filo,	Kubitsky,	Renwick,	Andrews,
Fineman,	Lamb,	Riley,	Speaker -
Floyd,	Leonard,	Rovansek,	
Flynn,	Limper,		

NAYS—84

Agnew,	Galley,	Light,	Royer,
Ashton,	Garlock,	Lippincott,	Seltzer,
Barton,	Gibb,	McCandless,	Snare,
Blair,	Goodrich,	McInroy,	Stewart,
Boris,	Gramlich,	McLaughlin,	Stoner,
Bower,	Guthrie,	Magee,	Strausser,
Bowman,	Heffner,	Mahan,	Tompkins,
Brenninger,	Henzel,	Merry,	Ujobal,
Brown,	Hocker,	Miller, B. Z.,	Varner,
Buchanan,	Holliday,	Miller, H. G.,	Wall,
Davis,	Isaacs,	Murphy, P. J.,	Weidner,
Dengler,	Johnson, R.,	Murray, H. P.,	Wescott,
Dennison,	Jones, T. H. W.,	Murray, P. G.,	Whittaker,
Donahue,	Keiser,	Nelson,	Williams, A.D., Jr.,
Down,	Kernaghan,	O'Dell,	Willard,
Edwards,	Kessler,	Odorisio,	Willaredt,
Eshback,	Knecht,	Ogilvie,	Wilt,
Eshleman,	Kooker,	Perry, H. H.,	Wood,
Ewing,	Korns,	Price,	Worley,
Fetterolf,	Lee, A. M.,	Pursley,	Wynd,
Fox,	Lee, K. B.,	Rigby,	Zimmerman,

NOT VOTING—17

Cooper,	Johnson, A. W.,	Moran,	Thompson,
Donaldson,	McDonald,	Naugle,	Wheeler,
George,	McKeever,	Rudisill,	Williams, E. S.,
Goldstein,	Mills,	Stroup,	Yatron,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 459, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) changing provisions relating to cancellation of registration.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. This bill provides that you only purge the registration rolls every four years instead of every two years. We do not believe that to be a good philosophy or a good practice, and I am asking that we vote this bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—101

Anderson,	Frank,	Meholchick,	Rovansek,
Arlene,	Frascella,	Mihm,	Sakulsky,
Balthaser,	Gallagher,	Monroe,	Scarcell,
Boies,	Garlock,	Muldowney,	Schaaf,
Bonner,	Gelfand,	Mullen,	Schuster,
Branca,	Hamilton,	Munley,	Schwartz,
Breth,	Heavey,	Murphy, A. J., Jr.	Sherman,
Burns,	Holt,	Murray, J. J.,	Shupnik,
Capano,	Irvs,	Musto,	Silverman,
Capitolo,	Jenkins,	Needham,	Snider,
Cianfrani,	Jim,	Nelson,	Stank,
Cioffi,	Jones, F. R.,	O'Donnell, J. A.,	Stewart,
Clarke,	Kamyk,	O'Donnell, J. P.	Stone,
Comer,	Kornick,	Parlante,	Sullivan,
Crossin,	Kovolenko,	Pashley,	Taylor,
Curwood,	Lamb,	Perry, H. H.,	Trusio,
Dennis,	Leonard,	Perry, P. E.,	Varallo,
Devlin,	Limper,	Petrosky,	Verona,
Dougherty,	Lopresti,	Polaski,	Walsh,
Ellberg,	Luigard,	Polen,	Wargo,
Farabaugh,	Lutty,	Prendergast,	Welsh,
Filo,	McCann,	Reidman,	Yatron,
Fineman,	McCormack,	Reidenbach,	Yetter,
Floyd,	McLaughlin,	Renwick,	Andrews,
Flynn,	Machmer,	Riley,	Speaker
Foerster,	Maxwell,		

NAYS—91

Agnew,	Fulmer,	Lee, A. M.,	Seltzer,
Ashton,	Galley,	Lee, K. B.,	Snare,
Auker,	Gibb,	Light,	Steckel,
Barton,	Goodrich,	Lippincott,	Stevens,
Bell,	Gramlich,	McCandless,	Stimmel,
Blair,	Guthrie,	McInroy,	Stoner,
Boris,	Heffner,	Magee,	Strausser,
Bower,	Henzel,	Mahan,	Tompkins,
Bowman,	Hocker,	Markley,	Ujobal,
Brenninger,	Holliday,	Merry,	Varner,
Brown,	Horst,	Miller, B. Z.,	Wall,
Buchanan,	Isaacs,	Miller, H. G.,	Weidner,
Davis,	Johnson, R.,	Murphy, P. J.,	Wescott,
Dengler,	Jones, T. H. W.,	Murray, H. P.,	Whittaker,
Dennison,	Jump,	Murray, P. G.,	Williams, A.D., Jr.,
Donahue,	Kee,	O'Dell,	Willard,
Down,	Keiser,	Odorisio,	Willaredt,
Edwards,	Kernaghan,	Ogilvie,	Wilt,
Eshback,	Kessler,	O'Neil,	Wood,

Eshleman, Ewing, Fetterolf, Fox,	Knecht, Kooker, Korns, Kubitsky,	Price, Pursley, Rigby, Royer,	Worley, Wynd, Zimmerman,
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NOT VOTING—16

Cooper, Donaldson, George, Goldstein	Helm, Johnson, A. W., McDonald, McKeever,	Mills, Moran, Naugle, Rudisill,	Stroup, Thompson, Wheeler, Williams, E. S.,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CURWOOD asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing provisions relating to cancellation of registration.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to call the attention of the Members to the fact that this is a bill in connection with voter purging for the city of Philadelphia only and is on the same par as the bill we just acted upon, in other words, that they purge only once every four years instead of once every two years in the city of Philadelphia. I ask that this bill be voted down.

Mr. SHERMAN. Mr. Speaker, briefly, I ask all those who may have voted "No" because it affected their particular county, if they can give Philadelphia a vote in the affirmative, to do so.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—102

Anderson, Arlene, Balthaser, Boies, Bonner, Branca, Breth, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dennis, Devlin, Dougherty, Ellberg, Farabaugh, Flo, Fineman,	Frank, Frascella, Galley, Gallagher, Garlock, Gelfand, Hamilton, Heavey, Holt, Irviss, Jenkins, Jim, Jones, F. R., Kamyk, Kornick, Kovolenko, Lamb, Leonard, Limper, Lopresti, Luigard, Lutty, McCann,	Maxwell, Meholchick, Mihm, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman,	Rovansek, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stank, Stewart, Stone, Sullivan, Taylor, Trusio, Varallo, Verona, Walsh, Wargo, Welsh, Yatron, Yetter,
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Floyd, Flynn, Foerster,	McCormack, McLaughlin, Machmer,	Reidenbach, Renwick, Riley,	Andrews, Speaker
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NAYS—89

Agnew, Ashton, Auker, Barton, Bell, Blair, Boris, Bower, Bowman, Brenninger, Brown, Buchanan, Davis, Donahue, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf, Fox, Fulmer, George,	Gibb, Goodrich, Gramlich, Guthrie, Heffner, Henzel, Hocker, Hollday, Horst, Isaacs, Johnson, R., Jones, T. H. W., Jump, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kubitsky, Lee, A. M.,	Lee, K. B., Light, Lippincott, McCandless, McInroy, Magee, Mahan, Markley, Merry, Miller, B. Z., Miller, H. G., Murphy, P. J., Murray, H. P., Murray, P. G., O'Dell, Odorisio, Ogilvie, O'Neil, Price, Pursley, Rigby, Royer,	Seltzer, Snare, Steckel, Stevens, Stimmel, Stoner, Strausser, Tompkins, Ujohal, Varner, Wall, Weidner, Wescott, Whittaker, Williams, A. D., Jr., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Zimmerman,
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NOT VOTING—17

Cooper, Dengler, Dennison, Donaldson, Goldstein	Helm, Johnson, A. W., McDonald, McKeever,	Mills, Moran, Naugle, Rudisill,	Stroup, Thompson, Wheeler, Williams, E. S.,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. STEWART filed the following reasons for his vote on House Bill No. 1152.

House Bill 1152 changes the present law of a two year limitation on purging of voters to four years. I was requested by a number of elderly and handicapped voters of my district to sponsor and support this change in the Registration Act.

The present law works a hardship on the older voters of my district by disenfranchising them due to conditions beyond their control. Many times they are unable to vote in a two year period because of sickness or being physically handicapped cannot get to the polling place during inclement weather. It is my belief that this law would help the older voter and therefore for this reason I have supported and sponsored this legislation.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Bureau of Consumer Protection defining its powers and duties and making an appropriation.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, this bill in its present form has been restored practically to its original form. It had been amended to limit its application to the Public Utility Commission, but amendments have again restored its wide powers of application.

The bill provides that the Bureau of Consumer Pro-

tection shall have the power and duty, and I quote. "to represent the viewpoint of the consuming public in matters before any executive, legislative, or judicial body, state or federal government, including, but not limited to any proceedings seeking a change in rates or services, or costs of services or commodities."

I should like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, the recent sales tax amendment increased the cost to consumers of those commodities on which the tax was imposed. If House Bill 2347 had been in effect at the time those amendments were moving through the Legislature, would the Bureau have had the authority to oppose them?

Mr. McCANN. Would the Bureau have had the authority to oppose the sales tax which is added to the selling price of an item? The answer would be no, they could not.

Mr. TOMPKINS. Does not this bill give this Commission the right and duty to look into matters before the Legislature affecting Consumers' interests?

Mr. McCANN. It does, Mr. Speaker, but certainly not in the field you have outlined here. Can you show me where that is in 2347, in its present amended form, 1813?

Mr. TOMPKINS. On page 3 they are charged with the duty to represent the viewpoint of the consuming public in matters before any legislative body of the state or federal government, including but not limited to any proceeding seeking a change of rates or services or costs.

Mr. McCANN. Mr. Speaker, is there not more than one legislative body in the meaning of the term when you say "legislative body," bodies other than the House of Representatives and the Senate of Pennsylvania? The answer is; There is more than one legislative body. All those legislative bodies created by the Legislature are legislative bodies.

Mr. TOMPKINS. I would not so interpret it, because of the fact that we are the only legislative body I know of in the state of Pennsylvania. There may be bodies that have the powers of rule and regulation making, but certainly not law making.

Mr. McCANN. Mr. Speaker, in reply to the gentleman, I believe if he will check, there certainly are more legislative bodies than just the House of Representatives and the Senate of Pennsylvania.

Mr. TOMPKINS. This refers to "legislative," and we are a legislative body. Certainly we would be one of those bodies included in this bill.

Mr. McCANN. I answered you that they would not be a part of the legislative body in the sense of the House of Representatives, for example. As the gentleman is well aware, the type of proposed legislation in House Bill 2347 now exists in certain other states of the Union, with some deviations from the present bill. For example, our neighbors in New York have a similar law. I believe that in the New England states you will find a similar law in this field. "Legislative bodies," I think, is incorporated in their laws also.

Mr. TOMPKINS. Does not the Constitution of Pennsylvania vest the legislative powers in this General Assembly only?

Mr. McCANN. Mr. Speaker, I do not believe any bureau would have any powers to change any constitutional items. I believe the gentleman is well versed in the field of constitutional law, for he has served quite a number of times on constitutional revision committees. I believe he is well aware that changes in the Constitution would be handled in the manner in which they are now handled in this Commonwealth.

Mr. TOMPKINS. I am not talking about that particular matter. What I am talking about, are we not in this bill granting the bureau the power to influence this legislative body in matters which are contained in this bill?

Mr. McCANN. The influence, Mr. Speaker, would be to this extent: If you had a Bureau of Consumer Protection and that Bureau had received information, had carefully checked into any particular item and given you a complete report, and that report in itself influenced your decision as to what you may do or may not do, the answer would be yes, they would be influencing.

Mr. TOMPKINS. Well, now, Mr. Speaker, suppose the House and Senate passed the Sales Tax amendments over the bureau's opposition and that the bill went to the Attorney General for review and recommendation to the Governor. How would the Attorney General's opinion be kept free of influence by the bureau?

Mr. McCANN. I do not believe, Mr. Speaker, that there would be any problem. The Attorney General of this Commonwealth is the legal advisor on all matters for the Governor, so to speak the right hand of the Governor in every piece of proposed legislation that reaches his desk. As the Attorney General of the Commonwealth, he or she presents to the Governor his or her views carried out with the full intent of the law as to the constitutionality of it, as to the correctness of the bill, and all the other items required. I cannot see where the Attorney General for the Commonwealth would, in effect, in any way conflict with the Bureau of Consumer Protection in fulfilling the duties of the Attorney General of the Commonwealth in those items which you have outlined.

Mr. TOMPKINS. Is not this bureau under the control of the Department of Justice?

Mr. McCANN. This bureau would be under the control of the Department of Justice.

Mr. TOMPKINS. Mr. Speaker, would the bureau have authority to oppose an increase in state store prices by the Liquor Control Board?

Mr. McCANN. I would say that the bureau could possibly consider the prices that are paid, but that is not the intent of the Bureau of Consumer Protection. I believe the gentleman is pretty well versed on what the bureau's duties and responsibilities would be in the field of consumer protection.

Mr. TOMPKINS. The way the bill is drafted they have a right to step in where it is likely to affect the price to the consumer. Suppose the Department of Agriculture were considering more stringent regulations for the preservation of meats, or for cleansing arsenic spray for fruits, and that the cost would be certain to increase the cost of food to consumers, would the bureau have the authority to oppose the regulations because of their effect on consumer food prices?

Mr. McCANN. Mr. Speaker, the bureau would, within the intent and scope, have the right to oppose those items

which the gentleman has outlined. But would not the bureau of Consumer Protection be the one which would be advocating those things that would be protecting the public, instead of opposing in that field?

Mr. TOMPKINS. I do not know. I am merely interrogating to get clarification on the powers contained in this bill. If it is going to affect the prices, at the same time it might affect some of the health regulations. They might find themselves in conflict with themselves.

Would the same rule apply where the Department of Mines increases mine safety requirements which in time could increase the price of coal to the consumer?

Mr. McCANN. Mr. Speaker, I believe the gentleman is pretty well versed in the field of either bituminous or anthracite coal laws, the two major coal laws of Pennsylvania, and I do believe you will agree that the Bureau of Consumer Protection would not have very much to say, if anything, or if at all, ever, about the production of coal or the price of coal. But would not the bureau have the right to consider, in the consumers' protection field, that if you were buying a certain grade of bituminous coal, that you got the grade of coal for which you paid? That would be consumer protection.

For instance, in the bituminous field, on which I am well versed, there is no question that you and I know you can order, and you do order, that you do pay for a specific type of bituminous coal. When you order and you pay, you should receive that which you purchased. If the seller were mixing two or three different grades of coal—lump, nut, or different items—because he could then get his bushel and tonnage without any problem, it would be deceiving the consumer in that respect, but this would not be within the field of safety or regulations in the production in the mines.

Mr. TOMPKINS. Mr. Speaker, he is going into the question of the deception of the public. I am asking about the increased price of coal because of certain mine shaft equipment that might be required to be installed. Certainly that is a cost to the consumer and we are trying to inquire as to exactly how extensive their powers are on fixing costs and prices because of the things that they must do which would require such an increase.

Mr. McCANN. Mr. Speaker, the gentleman would—again I repeat—be quite well aware, and I repeat emphatically, that if the Bureau of Consumer Protection were in operation, in my opinion and I am sure in your opinion, they would have absolutely no power within the bituminous coal fields in the operation of the coal mines or the anthracite, within their operation, dealing with the items that you outlined, such as, safety help.

Mr. TOMPKINS. I agree with the gentleman. They would have nothing in that field, but what they do in that field increases the price of coal to the consumer. Then this bill would step in, would it not?

Mr. McCANN. This bill would not step in, Mr. Speaker, and no place in the bill can you read that in because the bituminous mining laws and the Secretary of the Department of Mines, as well as the anthracite mining laws, are the solely responsible laws in operation in Pennsylvania, except the Federal Mining Code.

Mr. TOMPKINS. Well, I can agree with the gentleman in the field of safety, but I am talking about the field of consumer protection.

Would the Bureau have authority to oppose an increase in worker's wages in a state or federal mediation or arbitration proceeding on the ground that it would increase the cost of consumer goods? Could it intervene that way in the present steel strike? In a labor dispute in the auto industry? In the coal industry?

Mr. McCANN. Mr. Speaker, the Bureau of Consumer Protection could not intervene within a labor dispute in which the labor dispute would involve a change in wages or earning power which eventually may change the cost of the production or the item. The Bureau of Consumer Protection could not, under any place in the bill, enter into such disputes.

Mr. TOMPKINS. The result of that dispute would increase the cost of the product to the consumer, would it not?

Mr. McCANN. Mr. Speaker, there are certainly many times that the result of such a dispute has increased the cost of the product to the consumer, but there are certainly many times that the cost did not change in any way in the retail or selling price of the item to the consumer. The bureau could not enter into any of those disputes.

Mr. TOMPKINS. Now, Mr. Speaker, under the Act of 1937, the Department of Labor and Industry Wage Board may hold hearings upon whether the minimum wage for women in the clothing industry should be raised. Would the bureau have the authority to appear and oppose such increase on the ground that consumer clothing prices might have to be raised?

Mr. McCANN. Mr. Speaker, that again would be within the field of negotiation of Labor and Industry in labor disputes. The Bureau of Consumer Protection would not be able to participate within the field of labor disputes. Would they be able to participate then in a field where a negotiated contract without any dispute had taken place? The answer would be that they would not be able to enter into a negotiated contract which is negotiated and agreed to by the respective parties, that would be between the Union, as the case would be, and the management of a plant or a concern.

Mr. TOMPKINS. I agree with the gentleman that they would not enter into negotiations, but where would they be in trying to do something to prevent an increase in prices to the consumer?

Mr. McCANN. In the field, Mr. Speaker, of those contracts which would be negotiated, as I mentioned, they would not participate in that field, or could I see how they could participate in the final field which may eventually result in an increase to the cost of a product or in the sale of the product.

Mr. TOMPKINS. Mr. Speaker, in the publicity released by the advocates of this bill, one of the matters mentioned was the increase in Blue Cross rates recently granted by the State Insurance Commissioner. Let us see how the bureau would operate if it had been in existence when those Blue Cross increases were first considered.

Would it have had authority to appear before the Insurance Commissioner?

Mr. McCANN. Mr. Speaker, the Bureau of Consumer Protection, if it were a law, would have had the authority to appear before the Insurance Commissioner.

who grants or is empowered to grant any increases in this field.

Mr. TOMPKINS. Mr. Speaker, would the bureau merely oppose the increase blindly, or would it gather and analyze the facts first?

Mr. McCANN. Mr. Speaker, I think the answer would be that if you headed the bureau yourself, you would not oppose anything blindly. You would gather the facts and present the facts that exist. Whether you favored or opposed, it would be based on facts, not blindly, in either opposing or favoring.

Mr. TOMPKINS. Well, Mr. Speaker, to the extent that I have gathered and analyzed the facts, would it not be duplicating the work of the Insurance Commissioner and his staff; and if I did not gather and analyze the facts, how much attention should be paid to it by the Insurance Commissioner?

Mr. McCANN. Mr. Speaker, the bureau would certainly gather facts. I believe that in the field the gentleman is speaking of there certainly should have been some facts gathered, and certainly there will be a lot more facts gathered, for here certainly is a field that needs to be corrected, and corrected carefully. It is not exactly the fault of the insurance companies; it is not the fault, as some of us see it, of the Insurance Commissioner. Perhaps the fault lies within the scope of the medical profession that cause these increases by the system they use in charging and that they are permitted to charge against the cost of the insurance. This bureau would certainly be permitted and would do an outstanding job in gathering such facts that you and I know exist but do not have at our fingertips or cannot secure at the present time.

Mr. TOMPKINS. Is not the Insurance Commissioner charged with that same responsibility?

Mr. McCANN. He is charged with that responsibility and all those facts, as near as anyone can gather at the present time, are now presented. But I ask you this one question in reply to your question: If you were conducting a hearing today, who besides the Blue Cross and its various officials and the other respective insurance groups appear with the statistics and information? Is there anyone who appears there and presents the scope of the statistics and information dealing with what needs be corrected? The Insurance Commissioner gathers all the information he can gather with his very mediocre staff. Would not this assist in giving the information that is needed, for example, in insurance increases that may be proposed?

Mr. TOMPKINS. Well, Mr. Speaker, the Insurance Commissioner being charged with that responsibility, it seems to me this would be a duplication of effort.

Now, would this same situation apply in a proceedings before the Milk Control Commissioner concerning an increase in the price received by farmers for dairy products?

Mr. McCANN. Mr. Speaker, the Milk Control Commission is a regulatory commission and a Bureau of Consumer Protection would have an opportunity to appear before the Milk Commission, a regulatory commission, to present its facts and findings whether they are pro or con to the subject presented at that time.

Mr. TOMPKINS. Mr. Speaker, the same publicity issued by advocates of this bill mentioned utility rates. Would the bureau have a staff of accountants, engi-

neers and other experts similar to the staff of the Public Utility Commission for which this House recently voted a biennial appropriation of \$3,951,957 in House Bill No. 2386? If not, how could the bureau do as good a job as that staff? If so, how will the bureau pay its staff? Would not such staff be just another duplication of effort with costs to be borne by consumers as taxpayers?

Mr. McCANN. Mr. Speaker, the gentleman, of course, has outlined, I believed, if I have kept track, a series of about six questions there. The Bureau of Consumer Protection would have the right to appear before the Public Utility Commission. That is a regulatory commission. The Bureau of Consumer Protection would have the right to have statistics and clerical assistants which would help them to gather the statistics that are needed in presenting the case. Would that be a duplication of work already done? Yes, only to this point. For example, our major cities do have, and have had continually, people representing the public end of it, such as the solicitors, in regard to many hearings of the regulatory commission, such as the Public Utility Commission. What about the numerous smaller communities? Smaller boroughs and townships regarding some of these items, would they not be able to assist in the public case of the items presented to the bureau for example, the Bureau of Public Consumer Protection and would they not be able to assist in presenting the case to the Public Utility Commission so that all the facts and statistics are there? Did we not grant the amount of money that you state? Certainly we did. We have tentatively agreed that is the amount of the appropriation for the Public Utility Commission for the operation for the biennium, 1959-1961. This money is used also in helping to pay those people who are on the payroll of the Public Utility Commission dealing with statisticians and clerical assistants in carrying out the full details of the Public Utility Commission.

Mr. TOMPKINS. Is that not specifically what the Public Utility Commission was created for and what it is specifically charged with? To see that rates are held down to a reasonably amount, to have their staff paid for out of the funds which we have appropriated to them for that purpose?

Mr. McCANN. The Public Utility Commission is specifically charged, if you read the Public Utility Act, with the full responsibility of the rates of public utilities. It lies within the scope of the law under which they operate. The gentleman quite well knows that they do take into consideration these items. When a hearing is held before the Public Utility Commission, and I assume the gentleman has been there on some occasions regarding a client that he may have represented or representing the public within the scope of his community or city, would not the Bureau of Consumer Protection assist in presenting the case of the people, the public, of that community regarding that utility case, whatever it may be, which falls within the scope of the Public Utilities' rights and law, that they must handle?

Mr. TOMPKINS. Well, again I say that is a duplication of effort and expense.

The publicity of this bill appearing in the papers on September 1 talks about millions of dollars being saved to consumers by municipalities which fought rate increases. Is it not a fact that the city of Pittsburgh, which

is not regulated by the Public Utility Commission, increased the water bills to the people of Pittsburgh by more than 120 percent in the last eight years?

Mr. McCANN. Mr. Speaker, would that not be irrelevant to the subject involved? Is there any difference between the water company of the city of Pittsburgh and probably three, four or five hundred authorities in Pennsylvania, none of which fall within the scope of the Public Utility Commission and which fall within the scope of the courts of the County in which they are located or operate their principal office. That decision lies within the courts and this would not in any way affect them. It is irrelevant to the subject being debated.

For example, you could not do anything about taking my water authority in my own community before the Public Utility Commission had they increased the rates to whatever they may have desired.

Mr. TOMPKINS. Then, Mr. Speaker, do I understand that this Consumer Council has not authority to protect the public in these cases which are being served by utility authorities?

Mr. McCANN. Mr. Speaker, they would have no right to appear before the Public Utility Commission for that is not where the case would be heard, but if a taxpayer's case of any type were to be taken to the courts, for example, of Cameron County, if you have an authority there and they have increased their rates, your only appeal lies in the courts of that county. The Bureau of Consumer Protection could assist you at your hearings in that court in that county regarding presentation of the facts and the statistics that you need as to what the facts actually are in the operation of that authority and whether the rates to which they have increased their rates are proper or should be reduced by the court.

Mr. TOMPKINS. Then I understand this Consumer Council can intervene in any rate case any place in the state of Pennsylvania whether to uphold the Utility Commission or the courts?

Mr. McCANN. Mr. Speaker, the word "intervene" is not proper but to assist, represent, the public. They would have that power.

Mr. TOMPKINS. When does this assistance come in, by request or do they come there and just take up the cudgel?

Mr. McCANN. Mr. Speaker, I did not hear that. Will you repeat, please, sir?

Mr. TOMPKINS. Under what circumstances do they assist them by request only or do they step in and say, now we are going to take care of this case because it involves a rate case on behalf of the consumers?

Mr. McCANN. Mr. Speaker, I am sure that you would have no problem in answering the question that when you try to establish something like this you can only do so much with the budget that is given. I am sure that 99 percent of the time the only thing they could do would be to assist you where they had been requested, in that example, because they could not on their own and take for example, on their own case after case of rate increases under authorities, we will say, and take it on their own into the county courts, unless you intend at sometime in the future to grant them a very large staff of both legal counsel, statistical help and the necessary clerical help with rather a large budget.

Mr. TOMPKINS. Well now, Mr. Speaker, this General

Assembly in this Session has passed a mass transit bill for Pittsburgh and Allegheny County. Would this Consumer Council have any authority in the rate fixing under that bill? My understanding was that the county commissioners have full control over that whole situation.

Mr. McCANN. Mr. Speaker, if I remember the bill correctly, under House Bill 1297, I believe the county commissioners of Allegheny County, under the law now signed, have within their power the fixing of the rates in that particular mass transit authority. Now then, once they have fixed the rates, what can be done about it? The county commissioners, for example, could be taken to court if the rates were exorbitant. To what courts? The courts of Allegheny County. Now if the case so warranted and it was requested. I am sure the Bureau of Consumer Protection would assist in such a case, but I am very thankful and I know that you are too that in trying to solve this transit problem all over Pennsylvania and to keep public transportation, I do not know of any commissioners that are going to put exorbitant rates on because they certainly want to keep it as low as possible and I do not blame them.

Mr. TOMPKINS. Mr. Speaker, I don't quite agree. The Majority Leader is running around the lot quite a bit and it seems as though he has not been answering very directly most of the questions I have been asking.

I question the right of the Consumer Council in that mass transit bill. But on the other hand, is it not a fact that the Public Utility Commission has regularly suspended all general rate increases that come before it and has investigated them thoroughly whether or not the municipalities file complaints?

Mr. McCANN. I believe the gentleman has stated that and that is the procedure they are following now. I believe that is what they are doing.

Mr. TOMPKINS. Is it not a fact it went to work on the Public Utility Commission and its staff and it saves millions of dollars to consumers while the municipalities rode the coattails and claimed the credit? Is that not just about what the bureau would do too?

Mr. McCANN. They would assist in those fields and they would cover other fields, assist where needed in protecting the public. I believe, Mr. Speaker, that this would assist, for example, many communities that would desire such assistance in cases dealing with public utilities in the scope of the law where they have the right. I think the gentleman is quite well aware that in other states where such laws are now in existence they have been of help and assistance in that very field.

Mr. TOMPKINS. Mr. Speaker, apropos of my earlier questions, is the bureau going to have experts in labor relations, sales taxes, agriculture, mining, hospital costs, public utilities, dairying and all the other fields in which this bill authorizes it to intervene? Just how big will the staff be? What will be the biennial appropriation required when it becomes full-sized?

Mr. McCANN. Mr. Speaker, I think I answered that question, or parts of that question in a prior statement. I do not think that you can speak for a moment as to whether they would have experts in all those fields, the answer would be no, and the answer would be that they would only be able to do what you permit them to do and how much you want them to do. For example, I am sure that if I were taking the other side, as you

are, in this question, if I were to answer, yes, in each of those fields, if they had the right, which they do not, it certainly would take a pretty good-sized budget and a good many experts to assist in those fields and the right is not in the bill.

Mr. TOMPKINS. Mr. Speaker, under the Administrative Code of 1929, the attorney general has the "control of all the legal business of every administrative department of the state government." Why does the attorney general also need a Consumer Council to appear before those departments? Who is better able to advise the departments on consumer questions, the Consumer Council or the deputy attorney general regularly assigned to that department?

Mr. McCANN. Mr. Speaker, the gentleman is correct that under the Administrative Code of 1929 this power is vested; there is no question about that. And the deputy attorney general is assigned to the respective bureaus or departments, whatever the case may be.

I think the gentleman will agree though that the Bureau of Consumer Protection, which would also fall under the scope of the Administrative Code of 1929, would grant to the attorney general or, rather, to the Department of Justice this field of protecting of the public as we have debated it here today. I cannot see where one would conflict with the other, for I am confident that they would be attempting to do and present the best statistics, the facts that exist in the cases where they were requested to assist and to assist in helping the public and to serve the public in the sense of protecting the public in every case where they possibly could assist.

Mr. TOMPKINS. Mr. Speaker, under the Act of 1937, the attorney general appoints all the lawyers on the staff of the Public Utility Commission. Why should the attorney general also appoint a consumer counsel to do legal work before the same Commission?

Mr. McCANN. That is a very small part of it and they would under the Department of Justice, under the attorney general, under the Bureau of Consumer Protection appoint and have the right to appoint that legal counsel which would assist the public, your community, or any community in appearing or assisting in that case.

Mr. TOMPKINS. Mr. Speaker, I merely want to stress one point in closing.

This bill provides for this consumer commission to work in all fields of the executive, judicial and legislative branches of the government.

Earlier this year the present Governor issued an order to the various departments that they were not to pressure the Members of the General Assembly in connection with legislation before it. It seems to me that this bill is a reversal of that policy and I do not favor any board or commission of this government coming into this General Assembly as an independent coordinate branch of the government and trying to pressure or high pressure us one way or the other on legislation. It is to advise us at times we request advice, request administration. We have passed the bill to try to do away with lobbyists and here we are indirectly sitting down and creating a lobby to come in here and pressure this General Assembly in connection with legislation.

I think it is bad legislation. I think it is bad government and I think the bill is bad. I ask that everybody vote against it.

Mr. McCORMACK. Mr. Speaker, I listened with great interest to the interrogation by the Acting Minority Leader, and certainly some of the questions he asked were well put to clarify the wording in this bill, but at the same time I cannot help realizing that all of his questions were of a technical nature and circumvented the real purposes of this bill.

Just a very short while ago I was tremendously impressed by the letter the Speaker, Hiram Andrews, presented to us in "Dispelling the Fog," in which he discussed this present bill. I was impressed by the questions that were asked in that letter, and it seems to me those questions were ones that cannot be answered in the negative unless we are not being exactly truthful with ourselves in the purposes this bill was designed to further.

I think this is one of the most important bills, as the acting Speaker has said, that is presented to us this year. The taxpayers of this Commonwealth have been imposed upon to the extent of the increase in the sales tax, and they are constantly asking what the General Assembly is doing to protect them. I submit that this bill is the answer we can submit to the taxpayers, because it represents an honest, sincere and bona fide attempt to protect the consuming public.

I am impressed, too, by the fact that all the lobbyists, and all of the people who are opposed to this bill, are people who represent special interests; they do not represent the consuming public. They represent, in large part, people who have been extracting rates from the consuming public, rates that this bill is designed to possibly regulate and reduce.

The gentleman from Cameron, Mr. Tompkins, has said something about the Governor's policy with respect to pressure on the General Assembly by Members of the Cabinet and different agencies of the Commonwealth. The gentleman knows full well that there are certain people in the Governor's Cabinet and elsewhere who would like to see this bill killed. Would they like it to be killed because they are interested in protecting the consumers' pocketbooks, or would they like it killed because they feel this is an encroachment upon the powers they have enjoyed in the past? It seems to me the latter answer might very well be the truthful one.

Mr. Speaker, I think this is a novel concept in the laws of Pennsylvania. I think it is a splendid idea. How well it will work I do not know, but for the amount of money we have been requested to appropriate for a concept that is so democratic, I think it is well worth the try, even if it accomplishes nothing.

The Speaker in his missive asks certain questions, and I would like to hear answers that I cannot give him. The questions in that letter are along a line similar to this. Under Section 918 the Bureau of Consumer Protection would have the power to study and represent the viewpoint of the consuming public in matters before any executive legislative or judicial body; what is wrong with that? he asks. I admit there is nothing wrong with it.

Paragraph 2, "to conduct studies, investigations and research in all matters affecting consumer interests and advise the executive and legislative branches on matters affecting consumer interests, assist in developing executive policies and legislative programs to protect the consumer, secure all available information on utility rates,

interest rates, insurance rates and costs of commodities and service. What is wrong with that. And so forth throughout the entire language of the bill there is nothing wrong with this that would in any way hurt the consuming public.

I do not know whether I am flaying a dead horse or not, but I suspect, Mr. Speaker, that I might be. Perhaps the views and the die have already been cast but, nevertheless, I think before we cast our votes we ought to know who this bill is designed to protect.

I admit again that there has been a great amount of lobbying against this bill, and I ask the Members to analyze the purposes and the source of those interests who are against the bill. If you can show me where anybody representing the consumers in this Commonwealth are lobbying against this bill, I may very well have a change of heart, but until that time I am going to vote for the bill. I think it is a darn good one, regardless of what you call it or how you characterize it. It is a good bill and it is something that the consumer public is entitled to.

Mr. BELL. Mr. Speaker, I would like to interrogate one of the two Democrat Members on the Conference Committee on the General Appropriations Bill. Is either of them in the Hall?

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to the interrogated?

Mr. POLEN. I will, but the other Member, on the Republican side, Mr. Tompkins, is also in the Hall.

The SPEAKER pro tempore. Will the gentleman from Delaware advise the Chair which of the two gentlemen he wishes to interrogate?

Mr. BELL. My good friend, Mr. Polen, Mr. Speaker.

Mr. BELL. Mr. Speaker, will the gentleman tell us how much money was appropriated for this Consumers Board under the general appropriations bill?

Mr. POLEN. Mr. Speaker, there was no money appropriated under the general appropriations bill. The appropriation is contained in the bill before us, 2347.

Mr. BELL. Mr. Speaker, I heard the Majority Leader say there is a tentative agreement of three or so millions of dollars to the Public Utility Commission, and I gathered that was in this Conference Committee.

Is the gentleman at liberty to tell us how much money the Conference Committee will approve for this board?

The SPEAKER pro tempore. Will the gentleman yield? The Chair would advise the gentleman that is not a proper question. He is limited to the bill which is before us.

Mr. BELL. Thank you, That is all, Mr. Polen.

I was very interested to hear the Minority and Majority Leaders speak about the Constitution. I have a copy of the Constitution in my hand.

Under Section 1 of Article II the Constitution reads: "The legislative power of this Commonwealth shall be vested in a General Assembly which shall consist of a Senate and House of Representatives."

I also have in my hand House Bill 2327, Printer's No. 1813, and on page 3 I find that this board is given the power to advise the legislative branches on matters respecting consumers' interests, affecting and developing—I am leaving out a couple of words—legislative programs. Now I am just as jealous of my rights as a Member of

this House of Representatives as some of those Cabinet Members are of their rights and duties. I have a consumers' board that advises me. I get letters from them in the postoffice here and at home; I get telephone calls from them. The board that advises me on consumers' matters is made up of my constituents, and I am not going to vote for anything that will interpose an appointed board between me and my constituents when it comes to what is good for the people of Pennsylvania.

Mr. SILVERMAN. Mr. Speaker, I would like to ask the Members on my side of the House to vote against this bill. This bill primarily places a watchdog on the watchdog that safeguards the public utilities and safeguards the people and the rates in Pennsylvania. This is essentially the same bill that Governor Roosevelt vetoed in New York. I would just like to read a paragraph from that veto message.

The entire purpose of this bill is based upon a fundamentally false conception of the proper functions of a Public Service Commission. These duties, in essence, are to see that public utility companies furnish to the consuming public adequate service at fair and reasonable rates, and protect legitimate investors in utility securities. The Public Service Commission has taken over these legislative functions. It is not and never has been merely a court. It is, rather, intended to represent the public interest in connection with various industries of a semi-public character subjected to its jurisdiction.

I do not want to belabor this, but I would like to make a final point. I believe they do have such a consumers' council in Pittsburgh, and I would like to point out that in Pittsburgh the transportation fare is twenty-five cents, while in Philadelphia, where we do not have such a public council, the fare is only twenty cents.

Mr. O'DELL. Mr. Speaker, I rise to make a statement and then I should like to question the Majority Leader.

I am vitally interested in some type of a consumer protecting bill. I am a retailer and as such I realize we need some sort of protection.

Mr. Speaker, I should like to question the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. O'DELL. Mr. Speaker, could the gentleman inform us how many states have at this time this type of law?

Mr. McCANN. Mr. Speaker, to answer his question as to the total number of states that have this type of legislation on their books, I do not know if I could give you the total number of states. I do believe that some of the states that were listed were Massachusetts, California, Rhode Island, Maryland. For example, I know of those four. I am sure there must be others, but I could not name the total.

Mr. O'DELL. I have been very active in the Better Business Bureau for many years. The Better Business Bureaus in the different cities are of course very much interested in a lot of abuses in the retail business. New York does have a Division of Consumer Frauds and Protection maintained by the state of New York through the Attorney General's office. This bureau is quoted by practically all of the states. I have a quotation here from Louisville, Kentucky, telling how much good this office is ac-

complishing in protecting the small consumer in New York State. There are a few other questions I would like to ask.

Would this bill protect the small home owner? Say, last year, if you will remember, when we had a hearing on the garnishee bill, one of the union men bemoaned the fact that there was nothing in our Pennsylvania law to protect the small home owner. He quoted one of their union men being approached by a man to sell him storm windows which he did not buy, but in leaving the man asked him to sign a slip that he had called on him and given him his sales pitch because if he did he would get \$5 commission for making the call. He signed the slip, like a good fellow, and then to his dismay found that he had signed up for a complete set of storm windows. Now, would this bill protect a man of that type?

Mr. McCANN. Mr. Speaker, I could not answer emphatically that it would protect the items that he outlined carefully, but on page 4, to prosecute such violation of laws or regulations affecting consumers in the sale and servicing of consumer goods and products as its investigations or studies may reveal and to recommend action by other law enforcement agencies."

The cases that you have outlined, the question involved, I assume that the parties involved signed a contract agreement of some type. Many times the only question involved in the contract agreement is that you have signed the contract, but when the good old high pressure salesman was talking to you he forgot to mention the 33 other paragraphs in the contract. That is a question of is it fraud or is it misrepresentation? At some of the hearings that have been held the people involved will suggest better protection bureaus in cities, go after some of these people as fast as they can. One of the things they do is they move out of that area into another area very quickly. They disappear out of Erie and all of a sudden they pop up in Pittsburgh, then a few weeks later, when things get a little hot they operate in some other city and let us say that in my opinion they are not legitimate business men to begin with.

Mr. O'DELL. That is my sentiment also. They are not. The thing I am interested in in Pennsylvania is a bill that would protect as much as possible this type of people.

If this bill should be passed, would it not be necessary to establish offices all over the entire Commonwealth to administer this bill? Would not this thing mushroom into thousands and thousands and thousands of dollars in expense to the taxpayers?

Mr. McCANN. Mr. Speaker, the answer to the gentleman's question would be "no" you could not have offices all over Pennsylvania in any way, there would be the central office here as you would call it in Harrisburg, even though from this office would go, for example, such action to your own county, or city, or court, as it may be needed.

Mr. O'DELL. I thank the gentleman.

As I said in my opening remark, I am vitally interested in any type of bill that will protect the small consumer who buys storm windows, washers, even jewelry, but I do not believe that this bill as it is presently written is that type of bill. I think we should eventually in Pennsylvania pass a bill patterned after New York's bill. Therefore I am going to vote against it, and ask everyone on this side of the House to vote against it.

Mr. SELTZER. Mr. Speaker, would the Majority Leader consent to be interrogated for one or two questions?

Mr. McCANN. I will, Mr. Speaker, but I do not know why they are prolonging this.

Mr. SELTZER. Mr. Speaker, does this bill cover any other field of free enterprise other than utility rates, insurance rates or interest rates?

Mr. McCANN. Yes, on page 4, retail sales, if you will check it.

Mr. SELTZER. That is the point I am raising, Mr. Speaker.

Mr. McCANN. I think the gentleman will find on page 4, if the gentleman will read carefully—I believe I just read it to the gentleman a moment ago—dealing with consumers and the sale of services of consumer goods and products. For example, I believe the previous speaker was in that field, and not in the field of insurance or public utility or regulatory agencies.

Mr. SELTZER. I am calling your attention to page 4, Mr. Speaker, line 2, where it says, "and make such information available to the various agencies of government and to the public." Am I going too far afield in assuming that the agency boards could come in in private industry, check their records and costs and make that information available to the public, which would include the competitors of that particular industry?

Mr. McCANN. Mr. Speaker, I am quite well aware of the field that the gentleman is leading into and the answer would be, no.

You and I know quite well that in certain competitive industries the cost of a finished product is a carefully guarded secret, and rightfully so. The selling price of the item is established by the concern, but the cost is a carefully guarded item, and I do not see any place in the bill where they could come into this field, and this field is patterned under the New York State setup as it was on the books. I believe it has been transferred to their Department of Commerce under the present Governor of the state of New York, Governor Rockefeller, but the basic legislation here is patterned after that State. Your answer would be, no.

Mr. SELTZER. There might be a difference of opinion, Mr. Speaker.

The gentleman is assuming that the cost of the commodity is the cost that the man paid for it to resell it. My understanding is that the cost of the commodity is what it cost the manufacturer to produce it. We are talking of the same word, cost, but we are arriving at the word from two different points of view I can certainly read in this bill when I attempt to get to this figure.

Mr. McCANN. Mr. Speaker, the gentleman may be able to read it into the bill, but the paragraph known as Subsection 2, begins on line 13 of page 2, and the information he read was the last line and a half, so to speak, of that subparagraph which ends on page 4.

Mr. SELTZER. That is right, Mr. Speaker. That is the only line that refers to commodities and services. That is the reason it was the only line I read.

Mr. Speaker, one further question in the gentleman's opinion, could this board recommend to the Commonwealth, to this Legislature, to set up a board of price control such as was used in the Federal Government during World War II and the Korean War?

Mr. McCANN. In answer, Mr. Speaker, in my opinion,

they possibly could recommend, if that is what you want to read into the bill, but I do not believe that in the present situation you have any such thought or contemplated action of price control regulations, and that is what you are speaking of.

Mr. SELTZER. If we are here to protect the interests of the public and that is the only method they have left on this board, do you feel as though they might do that?

Mr. McCANN. I would not feel that they would do that, and I do not believe you could find it in the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—84

Anderson,	Flynn,	McCann,	Renwick,
Arlene,	Foerster,	McCormack,	Riley,
Boles,	Frank,	McLaughlin,	Rovasek,
Bonner,	Frascella,	Machmer,	Scarcelli,
Branca,	Galley,	Mehoichick,	Schaaf,
Breth,	Gallagher,	Monroe,	Schuster,
Burns,	Garlock,	Mullen,	Schwartz,
Capano,	Hamilton,	Munley,	Sherman,
Capitolo,	Heavey,	Murphy, A. J., Jr.	Shupnik,
Cianfrani,	Irviss,	Murphy, P. J.,	Snider,
Cioffi,	Jenkins,	Needham,	Stone,
Clarke,	Jones, F. R.,	Nelson,	Sullivan,
Comer,	Kamyk,	O'Donnell, J. A.,	Taylor,
Crossin,	Kornick,	O'Donnell, J. P.	Varallo,
Curwood,	Kovolenko,	O'Neill,	Verona,
Devlin,	Lamb,	Parlante,	Wargo,
Dougherty,	Leonard,	Perry, H. H.,	Welsh,
Farabaugh,	Limper,	Polaski,	Worley,
Filo,	Lopresti,	Polen,	Yatron,
Fineman,	Luigard,	Prendergast,	Yetter,
Floyd,	Lutty,	Reibman,	Andrews,

Speaker

NAYS—101

Agnew,	Fulmer,	Lee, K. B.,	Sakulsky,
Ashton,	Gelfand,	Light,	Seltzer,
Auker,	George,	Lippincott,	Silverman,
Balthaser,	Gibb,	McCandless,	Snare,
Barton,	Goodrich,	McInroy,	Stank,
Bell,	Gramlich,	Magee,	Steckel,
Blair,	Guthrie,	Mahan,	Stevens,
Boris,	Henzel,	Markley,	Stewart,
Bower,	Hocker,	Maxwell,	Stimmel,
Bowman,	Holliday,	Merry,	Stoner,
Brenninger,	Horst,	Miller, B. Z.,	Strausser,
Brown,	Isaacs,	Miller, H. G.,	Tompkins,
Buchanan,	Jim,	Murray, H. P.,	Ujobal,
Davis,	Johnson, R.,	Murray, J. J.,	Varnier,
Dennis,	Jones, T. H. W.,	Murray, P. G.,	Wall,
Dennison,	Jump,	Naugle,	Walsh,
Donahue,	Kee,	O'Dell,	Weidner,
Down,	Keiser,	Odoriso,	Wescott,
Edwards,	Kernaghan,	Ogilvie,	Whittaker,
Ellberg,	Kessler,	Pashley,	Williams, A. D., Jr.,
Eshback,	Knecht,	Perry, P. E.,	Willard,
Eshleman,	Kooker,	Petrosky,	Willaredt,
Ewing,	Korns,	Price,	Wilt,
Fetterolf,	Kubitsky,	Pursley,	Wood,
Fox,	Lee, A. M.,	Rigby,	Wynd,
			Zimmerman,

NOT VOTING—23

Cooper,	Holt,	Moran,	Stroup,
Dengler,	Johnson, A. W.,	Muldowney,	Thompson,
Donaldson,	McDonald,	Musto,	Trusio,
Goldstein,	McKeever,	Reidenbach,	Wheeler,
Heffner,	Mihm,	Royer,	Williams, E. S.,
Helm,	Mills,	Rudisill,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1703, entitled:

An Act relating to and defining food in the interest of and providing for the protection of the public health the prevention of fraud and deception by prohibiting the manufacture, offering for sale, exposing for sale or having in possession with intent to sell, adulterated, misbranded or deleterious foods conferring powers and imposing duties upon State and county officials and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. MAXWELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. AGNEW. House Bill 1703, as originally submitted and sponsored by four Members of this House including myself, was a sincere attempt on the part of many people to improve for the benefit of the consumer the already good food laws of the Commonwealth of Pennsylvania. However, we got involved with what is now a nation-wide controversy between Health and Agriculture, and the good motives behind this sincere attempt to improve our food laws has gone by the wayside.

I would like to comment that the attempt to move this bill resulted in amendments which have destroyed the efficacy of the legislation to the point where it is not now practical to attempt to push this bill any further.

My only further comment, Mr. Speaker, that this has been referred to in the public Press by at least one metropolitan newspaper in Pittsburgh as "A Dirty Food Bill." I cannot let this opportunity go by to say that the only filth involved is in the mind perhaps of the editorial writer for that newspaper.

The present status of this bill is such that, although I was a strong sponsor of this legislation when it was introduced, I concur in the gentleman's motion and ask that the bill be recommitted so that this matter might be resolved between the conflicting and warring factions represented by Public Health and Agriculture.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2044, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents and transactions providing for determination of deficiencies, redetermination, reviews and appeals therefrom imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

On the question,

Will the House agree to the bill on third reading?

Mr. A. D. WILLIAMS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, first line of Title, by striking out "and."

Amend Title, page 2, first line of Title, by inserting after "transactions": "and value."

Amend Title, page 2, second line of Title, by inserting after "viding": "for exemptions from the tax."

Amend Sec. 1 (Sec. 2), page 4, lines 18 and 19, by inserting a bracket before "Pro-" in line 18 and after "where" in line 19, and inserting immediately thereafter: "The term 'value' shall not be construed to include machinery or other contents of buildings conveyed. Where."

Amend Sec. 2 (Sec. 3.1), page 6, line 12, by inserting after "debt": "or transfers from a subsidiary corporation to a parent corporation by means of a merger of the subsidiary corporation into the parent corporation or transfers from one subsidiary corporation to another subsidiary corporation of a common parent corporation by means of a merger, or to transfers to stockholders upon the dissolution of a corporation."

Amend Sec. 3 (Sec. 8), page 7, line 18, by inserting after "thereto": "The Secretary of the Commonwealth shall not refuse to accept any document for filing on the grounds that the affirmation of value is not in the correct amount."

Amend Bill, page 10, by inserting between lines 17 and 18:

"Section 5. It is hereby declared to be the intent of the legislature that the amendments herein contained which provide (1) that the term 'value' shall not be construed to include machinery or other contents of buildings conveyed, and (2) that transfers from a subsidiary corporation to a parent corporation by means of a merger of the subsidiary corporation into the parent corporation, or transfers from one subsidiary corporation to another subsidiary corporation of a common parent corporation by means of a merger, or transfers to stockholders upon the dissolution of a corporation are exempted from the tax, are intended as a clarification of existing law, and all taxes imposed thereon under the authority of the act to which this is an amendment and which remain unpaid on the effective date hereof shall be uncollectible. The provisions of this section shall not affect any taxes heretofore paid, nor shall they affect any matter heretofore finally adjudicated by any court of this Commonwealth."

Amend Sec. 5, page 10, line 18, by striking out "5" and inserting: "6."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. A. D. WILLIAMS. Mr. Speaker, not having had the amendments read at length, I would like to offer—I wish it were more brief—an explanation of the amendments. This is rather a complicated bill. It has to do with the Pennsylvania Realty Transfer Tax of one percent.

In substance the proposed amendments provide three things. First that the term "value" as used in the Realty Transfer Tax Act, shall not be construed to include machinery or other contents of buildings conveyed. The second thing is that transfers of real estate from a subsidiary corporation to a parent corporation by means of merger and transfers to stockholders upon the dissolution of a corporation are exempt, and third that the Secretary of the Commonwealth may not refuse to accept a document for filing on the ground that the amount of tax declared is not sufficient. Of course, it is not intended that if the Secretary of the Commonwealth does not accept

the document without payment of the full amount of tax due, the Department of Revenue will certainly have the power and duty to proceed against the persons who filed the document to collect the proper amount of tax. The purpose of this last provision is to permit a reasonable business transaction to proceed notwithstanding a dispute as to the amount of tax due and to prevent the Department of Revenue from forcing its view upon the taxpayers.

What this means is that reasonable mergers in Pennsylvania have been held up by the Secretary of the Commonwealth because he would not permit papers to be filed. All we are saying in this amendment is those papers should be filed forthwith and if there is any dispute about the Realty Transfer Tax due, those matters can be settled by the courts as they should be.

The first amendment as to the machinery and other contents of building is just a reiteration of what I believe to be the present law. I think all of you know, and any accountant or assessor will tell you, that under the normal concepts of real property we do not include machinery or the contents of buildings. The reason for this, quite frankly, is there is a dispute between the Department of Revenue and many of the industrial corporations of Pennsylvania in which the Department of Revenue is trying to extend what is known as the Pennsylvania assembled plant doctrine. I will try to explain that briefly, because I think it is important.

Industrial plants and businessmen in Pennsylvania, in order to secure capital for their businesses, have been in the habit of borrowing on their plant and equipment. For the purposes of mortgages they have been permitted by the courts to include not only the value of the walls of the building but quite often the machinery and contents of the building, the sole purpose being for the obtaining of a mortgage on that plant. However, the Department of Revenue is now trying to extend this principle and to say that when that plant is transferred or sold, even though it be by merger and no deed is recorded in the recorder's office, that this should be subject to the Pennsylvania Realty Transfer Tax. It is and has been the policy of the state to exempt industrial machinery from real estate taxes. We are trying to encourage through the P.I.D.C., and through many statements made by the leaders of Pennsylvania to encourage industry to come into this state and provide additional jobs. Yet this is just the type of bill which would keep industry out of Pennsylvania.

Furthermore, in your retail establishments, you certainly do not consider the furniture, the stock, or the shelves to be part of the real estate, yet in effect that is exactly what this bill would do to an industrial plant. If we are going to give more than lip service to our desire for more industry in Pennsylvania we should not pass this bill without this amendment.

Furthermore, there are simple ways to avoid this Realty Transfer Tax and I think it would be forcing corporations to resort to subterfuge if we should pass this legislation. They need only sever the personalty, the machinery in the building, convey it by a bill of sale and it would not fall within the Realty Transfer Tax.

The important thing in regard to these transfers between subsidiary corporations and from subsidiary to principal corporations is that this is not a real transfer.

The person or the entity that owns the machinery beforehand, or the real estate beforehand still owns it and it is no new setup in small corporations to own your house and then you decide for reasons of your own that you would convey it back to yourself. The Realty Transfer Tax Act exempts transactions like that and transactions between straws, and between husband and wife. These are just formalistic. There is no deed recorded and it is the intention of the Realty Transfer Tax Act to impose this tax when these deeds go on record.

But now, the Department of Revenue by an administrative edict is trying to change the legislative policy of Pennsylvania and I think it is important that the Legislature know that that is what is happening. There is no real transfer of interest when a corporation merges with one of its subsidiaries. They previously owned that subsidiary. There is no transfer between two different people or two different entities.

These amendments as far as I am concerned, are simply re-statements of the present law of Pennsylvania. It is what lawyers all over Pennsylvania have advised their clients, only to find that the Department of Revenue is now saying because of this assembled plant doctrine "we think we have a peg on which to hang our hat, we are going to try to collect the Realty Transfer Tax where it should not be collected."

I ask for the support of Members on both sides of the House for this amendment.

Mr. McCANN. Mr. Speaker, may I ask the gentleman from Bucks, Mr. Williams, one question?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. A. D. WILLIAMS. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, would the gentleman inform the House, if his amendments were to be accepted and this were to become law, what would be the estimated revenue loss in the present estimated revenue yield as is now agreed to by the House and Senate?

Mr. A. D. WILLIAMS. Mr. Speaker, the answer is none.

Mr. McCANN. Mr. Speaker, would the gentleman inform the House that this information he has is from the Department of Revenue?

Mr. A. D. WILLIAMS. Mr. Speaker, to clarify my answer, I think I have accurately answered the question which was asked. I would now like to ask the question which was meant to be put to me, I believe.

What has been estimated by the Department of Revenue as the potential loss, and they have said without basis of any statistics, because this tax has never been collected on mergers in Pennsylvania before, but however, some place out of the blue they have come up with a figure of \$3 million. They have it on good authority that that figure cannot result from any previous history, because there has been no history of collection of this tax on mergers. And, too, it has been estimated on the basis of all mergers in Pennsylvania, and my amendments only go to a parent and a subsidiary, or between two subsidiaries of one parent. A merger by a separate corporation, the XYZ corporation and the ABC corporation would be taxed under this act. My amendments would not change that, and yet the Revenue Department uses those mergers

to come up with a figure of \$3 million which is not factual and is not accurate.

Mr. McCANN. Mr. Speaker, I thank the gentleman kindly.

Mr. Speaker, and Members of the House, I believe you all agree that the Secretary of Revenue must certify by law to the Governor all tax yields that we agree to or enact in any Session of the legislature.

We have pretty well agreed on tax revenue yield of the Commonwealth of Pennsylvania for the present biennium. I believe the gentleman from Bucks was informed, and I believe he verified that he was informed that there would be a revenue yield loss if these amendments were accepted.

I rise to oppose the amendments offered by the gentleman from Bucks, Mr. Williams, and ask that they be voted down. I will grant you that some portions of them have some merit, and I am sure we are working to resolve those items for we certainly have not many items that are helpful to business and industry in this Commonwealth in the last five years.

I ask that the Members on this side of the House oppose the amendments offered by the gentleman from Bucks, Mr. Williams, and if satisfactory to Mr. Williams, by a voice vote, or a division, if agreed to.

Mr. A. D. WILLIAMS. Mr. Speaker, I would first like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, on this point I will not permit myself to be interrogated. I am trying to conserve time which has been spent on a long, debatable bill, and it is now fifteen minutes to seven. The next bill on the special order of business which your floor leader has, he knows that debate is listed for four in a row to start with, and I would appreciate very kindly the opportunity to refrain from going into debate on these amendments, permit the gentleman to speak on whatever else he may desire to say regarding the amendments.

The SPEAKER pro tempore. The Chair asks the indulgence of the gentleman from Bucks, Mr. Williams, and asks him whether or not he would be willing to accept a division on this amendment.

Mr. A. D. WILLIAMS. No, Mr. Speaker, I will not.

The SPEAKER pro tempore. Does the gentleman insist on a roll call?

Mr. A. D. WILLIAMS. Yes, Mr. Speaker I do. Also, Mr. Speaker, since the Majority Leader will not. I want to say that I have been here every day of the Session, and this is the first time that he refused.

The SPEAKER pro tempore. The gentleman is in order.

Mr. A. D. WILLIAMS. I would like to point out that the Department of Revenue has not in previous bienniums attempted to collect the realty transfer tax on these mergers.

Mr. McCANN, the Majority Leader has stated that we have arrived at certain estimates as to revenue. I would like to point out that in the 1955-57 biennium the actual revenue from the realty transfer tax was \$39.4 million. This did not include one cent from these mergers. In the 1957-59 biennium it was \$37 million, the average annual yield for both those bienniums was \$38.2, and for this present Session, 1959-61 Session, there have been three

estimates. First there was the Governor's estimate in his budget, given to us in March of this year, of \$41 million. This was revised by the Department of Revenue in June of this year down to \$38 million, and it has been revised by the Conference Committee as of October of this year to \$39 million. This does not include, as I understand it, one penny of Realty Transfer Tax to be collected from mergers. If Mr. McCann is correct that there is \$3 million affected by this legislation, I suggest to the Members of the Conference Committee that we have found \$3 million.

Mr. SCHWARTZ. Mr. Speaker, I want to merely comment on one of these amendments.

I believe one of the amendments would require the Secretary of the Commonwealth or the Recorder of Deeds in the particular county to accept the instrument first, and then there would be a determination after the acceptance of the instrument as to whether or not taxes are due.

In my opinion, this is a very bad amendment that could lead to all sorts of confusion. All taxes, whether to the state, the municipality or to the federal government are paid first even though you do not agree with the determination. Therefore, I think that one amendment should certainly be opposed.

Mr. McCANN. Mr. Speaker, did I understand the gentleman from Bucks, Mr. Williams, to say that he would accept only a roll call, is that right?

The SPEAKER pro tempore. The Chair was about to inquire whether he would consent to a division on this amendment?

Mr. A. D. WILLIAMS. Mr. Speaker, I will accept a division.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. WILLIAMS. Mr. Speaker, there is nothing in this amendment which affects the recording of a deed in any of the 67 counties. That is as it always was and always has been; every time a deed goes on record, the Pennsylvania Realty Transfer tax of one percent must be paid and these amendments have nothing to do with that. This is only when a corporation files merger papers with the Secretary of the Commonwealth. We do not think it fair that the Secretary hold these ordinary business transactions up because of this one dispute.

We are not saying that the tax may not ever be paid but first let us complete the transaction and then fight about the tax.

Mr. ISAACS. Mr. Speaker, I am interested in one item which has been brought out in this debate on this bill, and that is there was \$3 million anticipated revenue from House Bill 2044 which we are now discussing. This is October 20th. The bill is not law and what chance it has of becoming law I have no knowledge. In its present form I do not think it has much, but if that is the way we are estimating revenue this biennium, we can readily understand how it is disappearing.

On the question recurring,

Will the House agree to the amendments?

A division was called for, eighty-four Members having voted in the affirmative and ninety-one in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 3 (Sec. 8), page 7, line 18, by inserting after "thereto": The Secretary of the Commonwealth shall not refuse to accept any document for filing on the grounds that the affirmation of value is not in the correct amount.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. FINEMAN. Mr. Speaker, I merely want to state that my amendments are the third part of the amendments of the gentleman from Bucks, Mr. Williams.

My amendments do not entail any loss of revenue, either actual or estimated, and I assume, therefore, that it has the 100 percent support of the entire House.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2354, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FINEMAN. Mr. Speaker, I realize full well that the membership of the House has just been subjected to lengthy debate and perhaps they might be somewhat tired, but I am going to have to ask them to indulge those who take the floor in further lengthy debate, particularly in view of the fact that the bill that we are now considering is possibly one of the most important single bill, that has been considered in this session of the General Assembly.

The bill deals with the educational opportunities of our children; it deals with the future of our children and nothing takes precedence or priority over the importance of this subject.

It is said that the future of tomorrow walks forward on the feet of our children of today and with this I agree. I make mention of the fact only because I want to bring to the attention of the Members of this House the grave importance of this bill and earnestly solicit their complete attention while it is being debated.

In any consideration of a school subsidy program such as we have before us in House Bill 2354, I think it is initially in order to set forth certain basic principles on

which we should all be in agreement and accord and which should remain in the forefront of our thinking as the problem of school subsidies is debated.

First, there is the proposition that every child in this Commonwealth, regardless of his or her race, color, creed or place of residence is entitled to an opportunity to procure an acceptable basic school education. As a matter of fact, our Constitution mandates that the General Assembly provide for the maintenance and support of a thorough, efficient system of public schools for all children of the Commonwealth.

Secondly, there is this proposition that every local school district should pay a fair and equitable share of the costs of this education, based, of course, upon its ability to pay; the balance of the costs being assumed by the Commonwealth.

I do not believe that anyone takes issue with these general principles. However, an area of concern, confusion and conflict does arise when we seek to define what constitutes the local school district's fair and equitable share of the cost of education.

In the question of a district's ability to pay for its share of the cost of education, this share should of course be geared to the taxpayers' ability to pay. We who advocate the passage of House Bill No. 2354, which is before us, do not believe that the present formula that is employed, that is the basic standard reimbursement fraction, fairly, equitably and realistically distributes state subsidies on the basis of a school district's ability to pay. On the contrary we believe that it shortchanges most of the state's counties and results in what we term "fiscal discrimination".

I realize, at best, figures are difficult to deal with and they do not make for the most interesting subject by way of discourse, but I think that we should, as Members of the General Assembly, try to have some basic understanding of the formula that is employed presently. It is, when stripped of all of the surrounding verbiage in essence a relatively simple thing to understand. In each school district area there is taxable real estate. The market value of this real estate is determined. This market value is then divided by the total number of public school teaching units, which as we know consists of 22 high school students per unit and 30 elementary school students per unit. That quotient, the result that we get by this division, is the valuation per teaching unit. To this valuation is then applied the 4-3/8 mills which the Commonwealth has mandated should be applied by each local district. This result then gives us, in dollars and cents, after we go through this mathematical calculation, this computation, this result gives us each school district's share of the total cost of education per teaching unit, and when that total cost per unit is deducted from the maximum school subsidy per unit of \$5,800, we then know what the state has to contribute, per unit.

Although on first face this formula might appear to be a proper index for measuring a school district's ability to pay in that a ratio is set up between taxable real estate and the educational demands of the district, the formula in truth as it is employed, is most unfair and works to the serious financial disadvantage of those districts where there is a large percentage of pupils who attend other than public schools.

I might add, Mr. Speaker, that the non-public school student population has increased tremendously and it is

quite substantial and is rather evenly distributed throughout the entire Commonwealth. As a matter of fact, 23 percent of the total student population of the entire state is non-public in its attendance. For instance, in Philadelphia County it is 37 percent of the total student population; in Delaware County it is 43 percent; in Montgomery County it is 29 percent, and in Adams County it is 32 percent.

The districts that have non-public school students are penalized because the formula employed does not include the non-public school children in arriving at a per unit valuation. I do not think anyone can disagree with these conclusions. A district is certainly not in any better financial situation per se, simply because it has non-public school students. Yet that is the very assumption that is inherent in the present formula, since in those districts the taxpayers, where there are non-public school students, must pay additional taxes.

The proponents of House Bill 2354 do not contend that a school district should be compensated for any non-public school students who reside in the district, and this bill does not make such provisions. But, in making a determination of the amount of dollars to be paid for each public school teaching unit, the total number of school age children who attend both public and non-public schools should, of necessity, be considered in order to have a realistic approach to the problem of a district's ability to pay a fair share of the total cost of education.

Let me point out this inequity. The present formula, although it fails to add in the non-public school children, in determining per unit valuation, does however, in figuring the wealth of the community, add in the market value of the real estate of the parents of the non-public school children. This is entirely unfair and unrealistic.

Let me briefly illustrate by example, an example that we can readily comprehend and see through, just how inequitable the formula is. Let us take two towns that have equal market value in real estate and an equal number of school children attending schools in that area. Let us assume that they have 100 teaching units each. Under the present formula they both get the same amount of state subsidy. That is because their market wealth is the same, and the number of students to be educated is the same. But, let us assume that in town "B", the second of these two towns that 30 teaching units transfer to a non-public school. Just what happens? We would expect that the school district of town "B" should naturally expect to lose in state subsidies 30 times the per unit subsidy it has been receiving, because it has 30 less teaching units to educate. But this is not what happens. Actually the school district that has 30 teaching units transferred to a non-public school will not only lose 30 times the per unit subsidy, but in addition thereto will lose an additional sum of money for each of the remaining 70 public school units because of the discrimination that is built right into the formula. In other words, you will recall that I explained in the calculation of the formula that the number of teaching units are divided into market value to get market valuation per unit. If you reduce the number of teaching units and have a lesser figure to divide into the market value, of necessity the quotient, or the result, becomes higher, meaning that the school district's costs that it picks up the tab for becomes higher.

The cost of educating these 70 remaining public school units certainly has not lessened because 30 units have

transferred to non-public schools. Neither have the taxpayers of that district become any wealthier because 30 units have transferred to a non-public school. This district in town "B" is now being penalized because of the opening of a non-public school, because of the fact that the state has been relieved of the obligation of supporting 30 units. This unquestionably is fiscal discrimination. The school district of school B should be paid at the same rate per pupil for the remaining students that still go to the schools that it was paid prior to the transfer of the 30 teaching units. This is exactly what House Bill 2354 seeks to accomplish. This is why House Bill 2354 has been labeled a fair-play bill.

In our example town "B" under present law will get less money than the difference in student load indicates that it should get and we feel that House Bill 2354 is consistent with the principles that I enunciated at the beginning of my remarks.

I might point out that House Bill 2354, and this is most important because rumors concerning this fact have drifted back to me, and if this information is being circulated it is false and fraudulent, it is deceptive and it is entirely untrue and without foundation in fact. These rumors are to the effect that House Bill 2354 will result in the subsidization of non-public school children. This is false and do not believe a word of it. House Bill 2354 merely and fairly counts the students of non-public schools for the purpose of establishing the per teaching unit valuation, but once having established the per teaching unit valuation, we multiply that by only the teaching units in the public schools. As a matter of fact, everyone knows that our Constitution provides that it is a violation of the Constitution to make provisions for appropriations to any school or other institution that is parochial or religious in nature.

One other fact that I want to bring to the attention of the Members, and this too has drifted back to me and I feel that some of the Members are badly misinformed on this point. They have told me that under the provisions of House Bill 2354, they will get less money than they are presently getting under the existing law. This too is false. It is entirely incorrect. As a matter of fact it is a mathematical impossibility that that result be reached. All that this formula does is to give to those school districts that have non-public school students in them additional moneys, but it does not disturb on any level the moneys that go to the districts that do not have non-public school students in them. They, under the provisions of House Bill 2354, get the same amount of money that they are getting under the existing law.

It is for these reasons that I urge the Members of this House to correct an inequity that has existed all too long. This is an area that cries out for some relief because there has indeed been discrimination. I ask the Members of this House in their good judgement to vote for this bill.

Mr. STECKEL. Mr. Speaker, will Mr. Fineman consent to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. STECKEL. Mr. Speaker, under a hypothetical case of two school districts each having an identical market value, School District A has five units of public school children, School District B has five units of public school children plus five units of private school children. Do I make myself clear?

Mr. FINEMAN. Yes.

Mr. STECKEL. School District A has five units of public school children and School District B has five units of public school children and five units of private school children.

Mr. FINEMAN. You are speaking of population in B District?

Mr. STECKEL. The total, yes. However, each district has five units of public school pupils. The market value is identical. Under House Bill 2354, which district would receive more subsidy from the state?

Mr. FINEMAN. District B unquestionably would get more than District A.

Mr. STECKEL. Why? They both have five units of public school children to support with identical market value.

Mr. FINEMAN. May I say by way of further answer, that the proponents of House Bill 2354 do not say that this bill is a panacea or a cure-all for all the inequities that exist. I do not know of any proposed formula that has come down the pike that truly represent a fair basis for reimbursement. There may be certain inequities in 2354, we are frank to say, but we feel by and large that it will correct one serious, on glaring inequity that has manifested itself for a long time. Although it may be under the particular example you advance, Mr. Steckel, that this District B will get more money, the ills that this bill will cure will more than offset the inequity that might arise under your particular example.

Mr. STECKEL. Well, Mr. Speaker, under the example, is it not a fact that the taxpayers in District B, while they have the same number of pupils in public schools, would, because they get a higher state reimbursement, be able to pay lower local school taxes?

Mr. FINEMAN. Would you repeat your question, sir?

Mr. STECKEL. Is it not a fact that because the school district B, though it has the same market valuation, receives a higher reimbursement from the state, would consequently be able to levy lower public school taxes on its taxpayers?

Mr. FINEMAN. That may be, but it does not necessarily follow.

Mr. STECKEL. Well, if it receives additional reimbursement from the state and educates the same number of public school pupils, why would it not follow that it would take less local effort?

Mr. FINEMAN. For the reason that the amount of taxes levied by each school district vary in nature and vary in amounts. In other words, there are many municipalities in this Commonwealth that, are self-supporting, and assess taxes on their taxpayers that other communities do not assess.

I might point out to you, for instance, in the city of Philadelphia, that taxpayers for these many, many years have alone supported by their taxes the Philadelphia General Hospital. Only this year for the first time was PGH included in the budget.

Mr. STECKEL. I thank the gentleman. I was not prepared to debate the Philadelphia General Hospital.

In this speech Mr. Fineman inferred that there were some property owners who had children going to private schools who were required unjustly to pay school taxes to support the public school system, where there were a number of private school pupils.

We all know that in this country whether a person has children who go to either public or private or no

schools at all, or has no children, it is expected that all real estate will bear its fair share of the school tax burden.

Reimbursement fractions have long been based on specifically the ability of a district to pay. It is a simple matter by taking the figures arrived at by the State Tax Equalization Board for the district and dividing by the units that attend public school to arrive at the local effort required for the local effort put forth.

In answer to my question as to why similar districts with the same market value, the same number of public school pupils, should be treated differently, I do not think there was a satisfactory answer.

I see no reason for changing the present system and upsetting the very basic manner of distribution of public moneys for public schools at this time and I request everybody to oppose the passage of this bill.

Mr. SCHAWARTZ. Mr. Speaker, we are not interested in the man who sends his children to private schools. We are basically interested in the man, and the point that I think Mr. Steckel overlooks is, the effect that has on the man who lives next door to him. The point of this bill is that the man who lives next door who sends his children to the public schools, pays more in local taxes because of the fact that the state does not consider the other pupils. That is the point involved.

We have to consider, in order that the locality, the principality, the political subdivision gets a fair share, all pupils of school age in this hodge-podge formula, which I believe perhaps maybe two or three of us here on the floor—and I do not pretend to be one of those—who understand it, quite frankly. That is the point we are trying to get across. We are interested in that man who sends his children to the public schools. We do not feel that he should be penalized because somebody wishes to send his children to private schools.

Mr. BLAIR. Mr. Speaker, Mr. Fineman went to great lengths to explain to us the problems that the people of Philadelphia are experiencing as far as state subsidies and the help which they receive for their system of education.

I think his troubles are completely imaginary and I would just like to take the liberty of offering a solution which I feel will correct the troubles that he thinks he now has.

All the people of Philadelphia have to do is to raise their millage on their market value equal to what the majority of the rest of the people in the Commonwealth of Pennsylvania are paying and then his problems will be non-existent.

Mr. FINEMAN. I would like to interrogate the gentleman.

The SPEAKER pro tempore. Will the gentleman from Erie, Mr. Blair, permit himself to be interrogated?

Mr. BLAIR. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, the gentleman professes to know a great deal about what Philadelphia's millage as compared with the rest of the state. For the enlightenment of the Members of this House, will he tell us what Philadelphia's millage is?

Mr. BLAIR. Roughly 10.3 on market value.

Mr. FINEMAN. 10.6. That is close enough. Can he tell us what the state average is?

Mr. BLAIR. I cannot. All I can do is tell him what Erie County's average is.

Mr. FINEMAN. The state average, for his information, is 11.52.

Mr. BLAIR. Erie County runs between 16 and 21.

Mr. FINEMAN. If you will refer to the report of the Committee of Fifteen, you will find that Erie County's millage is 13.00 even. I want to point out one other thing to you, sir. Incidentally, do you have a copy of the report of the Committee of Fifteen before you?

Mr. BLAIR. I do not.

Mr. FINEMAN. Do you know what Philadelphia's 10.6 is based upon, what the market value is based upon?

Mr. BLAIR. I would not know, and would not have any control over it if I did.

Mr. FINEMAN. You would not know? Would you care to state whether it was the market value of the year 1957 or the market value of the year 1958?

Mr. BLAIR. It was the latest year that I was able to obtain figures for.

Mr. FINEMAN. That would be 1957?

Mr. BLAIR. Right.

Mr. FINEMAN. And is it not a fact that the State Tax Equalization Board has, by the sum of some \$450 million, decreased the total market valuation in the city of Philadelphia?

Mr. BLAIR. That has not been effective as yet.

Mr. FINEMAN. That is the certification for the year 1958; What do you mean it is not effective as yet? The State Tax Equalization Board has certified the market valuation for the year 1958 in the city of Philadelphia.

Mr. BLAIR. Is that not being considered by the Conference Committee at the present time?

Mr. FINEMAN. No, only the mechanics of how it is to be worked out is being considered, but as of the moment that is the law.

But be that as it may, it nevertheless represents the finding of a State Equalization Board. Now, with that thought in mind, I ask you would the millage of the city of Philadelphia increase if \$450 million was added to the market value?

Mr. BLAIR. May I ask you a question there in answer to that? What would one mill on market value increase it in Philadelphia?

Mr. FINEMAN. I do not know. But is it not a fact . . .

Mr. BLAIR. It would be more than sufficient to take care of any loss you might suffer, I would say. It would be below the state average.

Mr. FINEMAN. Let me ask specifically, is it not a fact that if the total taxes that the city of Philadelphia pays were considered in light of the reduced valuation of the market value of the city of Philadelphia, the result reached would be a higher millage figure?

Mr. BLAIR. That is what I am proposing, a higher millage value for the city of Philadelphia.

Mr. FINEMAN. Why, of course it would be. I thank the gentleman.

Mr. Speaker, that is exactly the point I want to make. When these people talk about the wealth of the city of Philadelphia and the fact that the city of Philadelphia is not assuming its fair share, that is not quite true and it is unfair, because the figures they present dealing with state average millage and the millage base in the city of Philadelphia is based on the valuation in the year 1957,

and we all know that for years the valuations in the city of Philadelphia has been overstated and the State Tax Equalization Board has informed us that the overstatement is in the sum of \$450 million.

Mr. SHERMAN. Mr. Speaker, we have for discussion and deliberation this afternoon and evening, House Bill 2354, changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

No matter what bill is presented for your consideration of this nature, there will also be some against it mainly because it may not, according to you or some of them either for selfish or other reasons, substantially contribute more to their county. Others may excuse their vote because it cannot contribute only to what they term impoverished districts.

There is no bill of that nature which says, contribute to distressed areas only. Some day in the near future, perhaps, our legislature, Republicans and Democrats alike, will give a special part of their Session to the problems of education alone.

The Fair Play Bill, 2354, should be strongly supported by both sides of the House. The injustice of the present formula of distributing school funds is potent. It hurts counties whose school problems are most critical and helps no one.

The present effect of the formula is not only to penalize all citizens who for religious or other reasons wish to send their children to private schools but their neighbors as well. It reduces the amount contributed for each of the remaining school students. There is not the slightest reason why any student in our state of Pennsylvania should receive lower quality public schooling simply because his neighbor attends a private school. This system is at odds with the American ideas and fosters resentment among us Americans.

This system is at odds with the American ideas and fosters resentment among us Americans. This present bill corrects a fundamental wrong in the school setup. Philadelphia and other counties should never receive any aid for homebound education, the closed schools, the mergers or jointures, and Philadelphia only received a per capita contribution of 12.75 compared to 30.06 for Northampton; 77 in Forest County, and 67.63 in Juniata. Philadelphia and other counties have contributed bonuses for schools closed fifty years ago, and for school districts now under 80 feet of water.

We have not complained and we are pleased to cooperate. No county should be classified either as rich or poor in this argument because no bill to be presented for your consideration in this Session provides relief only for our distressed areas or yet denies compensation to those districts in great need but cannot be classified as distressed. Must we become distressed before we can ask for your help? Must we close our schools, our kindergartens? Must we chase our capable teachers out of this state of Pennsylvania? Must we deny education and help to our teachers who teach our precious ones? Must we prevent our children from receiving the education to which they are entitled before you help us?

It is easy for some of you to say raise taxes, choke our citizens by taking away their earnings, but I say to you that is not the solution.

For God's sake, for the sake of our children, your par-

ents and families, for the sake of all those who cannot appear before you and plead for themselves, for the prevention of our teachers from becoming demoralized, we plead for your help and support of House Bill 2354.

Mr. GOODRICH. Mr. Speaker, being from one of the forgotten fourteen counties in Pennsylvania under House Bill 2354, I would like to remind the last speaker that we plead for our children too and would like to have the bill defeated.

However, now I would like to interrogate the gentleman from Philadelphia, Mr. Fineman. In his arguments concerning the valuation of Philadelphia he was in error, if I am correct, and I want to check that.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. GOODRICH. Mr. Speaker, you were talking about the fair market value of Philadelphia on the matter of the 1958 certification, is that correct, as being less than the 1957 certification or being less intrinsically?

Mr. FINEMAN. Or being less what at the end you say?

Mr. GOODRICH. Intrinsically.

Mr. GOODRICH. Intrinsically less than 1957.

Mr. FINEMAN. Yes, that is so.

Mr. GOODRICH. For your information, which, of course, makes your argument fallacious, the Tax Equalization Board said that Philadelphia gained and I am sure that your local assessed valuations substantiate that, the figures in Pennsylvania for 1958 certification show that there was a gain in all the counties, but the Tax Equalization Board cut all the counties by 15%.

Mr. FINEMAN. May I interrogate the gentleman?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. GOODRICH. I will be interrogated, Mr. Speaker.

Mr. FINEMAN. I assume that the gentleman is an avid reader of our daily newspapers and, if so, he must have read, with perhaps some distaste, about the fact that the city of Philadelphia was going to receive \$2 million plus as a result of the reevaluation of the State Tax Equalization Board for the year 1958. Now, will he tell me if we are getting more money because our capital wealth increased or because it decreased?

Mr. GOODRICH. Your statement is ridiculous.

Mr. FINEMAN. I thank the gentleman.

Mr. GOODRICH. I would be glad to answer you. I think you know the answer. If it was a serious question, I would give you a serious answer. I doubt that it is.

Mr. FINEMAN. I am most serious. You advise me, sir.

Mr. GOODRICH. If the Tax Equalization Board, and you may check this with the Tax Equalization Board, says that Philadelphia gained in value along with the rest of the counties when the total was cut 15% across the board, then Philadelphia's gain of tax under the 1958 certification is obvious to you, even though the actual value, the market value, of Philadelphia did decrease. Are you aware of that, sir, of the 15% cut across the board?

Mr. FINEMAN. I know nothing about a 15% cut across the board.

Mr. GOODRICH. Well, I would suggest then, rather than using this place as argument, that you check with the Tax Equalization Board. Does that answer your question, sir?

Mr. FINEMAN. No, I will accept the answer for what it is worth, but it certainly does not answer the question.

Mr. NELSON. Mr. Speaker, ladies and gentleman of the House, I rise to oppose this bill but also to find myself in opposition to one of the previous speakers who is also opposition, who stated that the problems of the Philadelphia school district are imaginary. This is not true in Philadelphia or in any other place in this Commonwealth. I rise to oppose this bill not just because it gives a certain amount of money to a few districts of the Commonwealth, but because it seems to be contrary to all concepts of free public education and would provide for the payment of appropriations in a manner that has no direct relation to the actual number of peoples being educated in the public schools.

There has been a great deal said for and against this bill on the floor, in the newspapers and in the corridors of this House. First of all we find that there has been criticism to the present subsidy formula in that it is unfair and very complex, difficult to understand. This formula was developed by a bi-partisan group, a commission and was written into law in 1945. It has been in operation since that time; it has been a great service towards the equalization of educational opportunity in our schools. As to the complexity of the formula, in simple explanation it will suffice to clear up any doubt as to the equity of the principle behind its formula. Let us assume for instance that the cost of an acceptable school program is \$6,000 per teaching unit and the 5 mills on the market value of real estate is a reasonable tax effort by the local district. The formula would operate as follows: local district with the real estate market value of \$200,000 per teaching unit would contribute as its share of the cost 200,000 times 5 mills or \$1,000. The state would then contribute as its part the \$1,000 minus from the \$6,000 or a total of \$5,000. If on the other hand the market value of real estate were \$500,000 per teaching unit the local tax effort would be 500,000 times the 5 mills, or \$2,500. And of course the local district would then contribute that amount and the state \$3,500. As the wealth and ability of the district per teaching unit increases the local contribution increases and the state's share decreases.

In the like manner as the wealth and ability of the district decreases the local communities will contribute less and the state will supplement by a greater appropriation. Now, the sponsors of House Bill 2354, do nothing to this formula, except introducing a new element in determining market value for teaching units. When you hear debate on this you are inclined at first to agree that this sounds reasonable and that they do have a point, but let us look further into the situation. There is no public school system of this Commonwealth that furnishes teachers, buildings, textbooks or any other material or services to the students who are enrolled in the non-public schools. Why then should any district in effect receive and additional sum of money on the basis of the number of these students who reside within the confines of the school district? The local district is not paid by the education of these students. Under this so called 'fair play' bill, \$70 million would be distributed in a biennium to 539 of the state's total of 2420 school districts. According to the figures released by the proponents of this bill, 13 counties would receive nothing at all. Where is the fair play in such proposal?

I believe that each of us in this House is aware of the terrific problems which face all of the school districts of this great state, I am not unaware of the problems that face the people of Philadelphia, nor am I unaware of the problems that face the people in the districts in the third and fourth class who are approaching a state of bankruptcy. As to the amount of local effort contributed we have already established the amount of mills of local effort by the Philadelphia school district. I picked at random five districts from my home county. The local effort based on market value of the real estate is as follows in these five representative districts: Franklinton Borough, 14.46 mills, Newbury Township, 15.7, Railroad Borough, 15.24, West Manheim Township, 23.09 and Winterstown Borough 14.18. I wish that I had the complete figures for my county but I was unable to get them in such short notice. Ladies and gentlemen of the House, I pledge my support to any bill which will aid all of the districts of this Commonwealth. I will however continue to oppose any bill which tends to destroy the principles of free public education, the kind of thing for which Thaddeus Stevens so long ago fought to establish. Each of you is here to represent all of the people of the Commonwealth, in matters as important as education. We must not be concerned as to what is best for our own district, but we must be concerned with what is best for all of the school children of the Commonwealth. I urge you to oppose this bill that is on the calendar today and hope that although I cannot discuss another bill which we hope will be on the calendar later, to ask your support for that one.

Mr. EILBERG. Mr. Speaker, ladies and gentleman of the House, many of the things I would have said have already been said, but I would like to repeat one or two of them and add a few other thoughts.

During this Session, although this is my third term in the House, because of the particular attention given to this educational problem, for the first time I became greatly interested. I was amazed recently when I read the pertinent section in Article 10 of the Constitution, in which it says that the obligation of the state is to support "all" school children. I say to you that if the framers of the Constitution had intended "public" school children they would have said so in 1874. We had private schools at that time, and it would have been a very simple thing to provide that public school students should be taken care of by the state. But they did not, and we can only assume, therefore, that the framers of the Constitution meant "all" school children.

Further, there has been reference to the taxation in Philadelphia, local taxation. I would venture to say, and I think my opinion on this is fairly good, that we are assessing at about 65 percent of market value. Most of our people, and you all know that Philadelphia is a city of homes, are paying at the rate of 65 percent on market value. I ask you fellow legislators what the percentage of taxation is in your own county. I venture to say you will find, and the figures certainly bear it out, that the average is considerably less. In fact, the average throughout the state is 39 percent. So people tell us now that we should increase our local real estate taxes.

One interesting thing about the formula as it presently operates is this, and I think this point has not been made before—if it has, please forgive me—Every time a private

school opens, let us say, in Philadelphia, the reimbursement to public school units decreases automatically. Simply by the opening of a private school, existing public school units get less. This seems patently unfair to me, and certainly if a private school opens there should be no reduction. The figure should remain the same; there should be no reduction.

Another point: Many of us are thinking—this has not been raised before on the floor during this discussion—about where is the money coming from. You and I know that both caucuses are discussing this very, very seriously. We know we are not going to leave here until the additional money is raised. It would provide a tremendous stimulus if we were to pass this bill. We would thereby tell the teachers, the parents and the children throughout the state we are assuming the obligation and that we are going to raise the money. We know we are going to raise the money, so why do we not pass this bill and then go ahead and meet the second step?

I understand, also that as far as the Federal Government is concerned, reimbursement is based either upon total population or total child population; no discrimination between public schools and private schools—total child population. This is the Federal setup or system, and it seems to me that it is good enough for Pennsylvania as well.

Finally, I would like to say this, Mr. Speaker: We have been bombarded with literature from the Pennsylvania State Education Association. This title is a very high-sounding phrase, and I do not doubt that the Association has done a lot of good work, but I say to you, Mr. Speaker, that, peculiarly and especially, the teachers of Philadelphia do not belong to this Association. This Association does not speak for the teachers of Philadelphia. We have been hearing from them. The Association adopts its policies without the consideration and advice of the largest school district in the state of Pennsylvania.

Mr. Speaker, I say to you that House Bill 2354 is in the public interest. Let's vote for it.

Mr. GALLAGHER. Mr. Speaker, ladies and gentlemen of the House, you have to agree with some of the previous speakers, even with Mr. Nelson from York County, in some respects. Back in 1945 when the formula was first introduced as a method of distributing the state funds to the various districts throughout the Commonwealth, the school situation in our Commonwealth was in a very dire position. There were very inadequate facilities; the curriculum was poor. The state together—the large cities and the small townships and boroughs—all decided to pool together, and work this formula to bring to this state equal educational facilities for everyone. Now here we are in 1959, 14 years later, and we find we have been able to establish throughout our Commonwealth a fairly decent educational system, with facilities for all of our children, no matter in what county they live. Whether they had 10,000 population or 3 million population, they were able to build schools that were necessary, were able to increase teachers' salaries, able to provide better books and materials and to increase the qualities of our educational system. I say that was all good, fair and just, and I say that the people back in 1945 who came from the large cities, and had to contribute the most to make this possible, should be commended. But I say today, ladies and gentlemen, the pendulum has swung. We now have

in the rural counties excellent school systems; we now have school houses; we have jointures; we have merged districts; we have the proper facilities for all our students. But now the pendulum has swung and the large cities and well-populated urban counties are beginning to be affected because of many things. I would like to give you a very good example. You might say it is an extreme example, but it is actually something we have to pay attention to if we are all sincerely interested in the problems of education. We have to consider each and every problem and try to work as a whole, as a group, correct them. Take Bucks County, a county I know very well because I live there. In 1952 the public school system in my township had 1,915 students. In 1959 they have over 11,000 public school students. This necessitated a number of things. First it necessitated building 15 brand new schools. It necessitated bringing teachers into the area. It necessitated gearing a fourth class district to a third class district. But with these people moving into this area there also came large numbers of students who were going to attend private schools, 37 percent. Now the present formula, as has been well discussed today, provides that the market value of all of the homes in the school district is used in the formula. And then it says we can only count the number of students who attend public schools. So, in affect, because 37 percent of our school students attend parochial or private schools, the taxpayers who send their children to public schools must increase their effort to provide money for the school system. Now the tax in that township on schools alone is 85 mills, plus a \$15 head tax. Certainly I would assume from those figures that the local effort there is over and beyond the call of duty to provide for the children of the people who live in that district the necessary educational facilities. I think they have done a marvelous job. We had many meetings back there, bringing different groups together in order to educate our citizenry to the fact that they must pay for education. But where do we go from here? Do we go to 100 mills next year? Do we go higher yet? What do we do with the 37 per cent who are not counted in the formula while their market value is counted? That is one item we must consider. We must find some way of taking care of districts such as that. As I say, that is probably an extreme situation, but it exists, and what are we going to do with the people in that area when we pass the subsidy bill?

Another thing I would like to point out, Mr. Speaker, is that I, too, have heard many rumors that this is the foot in the door, this is the break everybody is looking for, this is the method and manner in which we are going to try to take the dollars and cents of our tax monies and turn them over to the private schools. I would like to read a letter for the record from a minister of the Episcopal Church. It says:

House Bill 2354 is now before you for passage. This bill, known as the 'Fair Play Amendment' to the school code, would remove a substantial inequity which now mars the distribution of state aid to the school districts of Pennsylvania.

Some opposition has been voiced to House Bill 2354. A few opponents state that the 'Fair Play' bill would aid parochial schools. This is untrue! Not one penny would go the support of any non-public school.

"Other opponents say it is an opening wedge to the support of parochial education. This is un-

true! It is not a wedge at all—it is the correction of a grave Christian injustice. Because of the perverted school subsidy formula, in communities where some children attend non-public schools, all citizens of the community must pay additional local taxes because some parent exercise this God-given right to educate their children as they desire.

It is time we stopped fiscally gerrymandering the educational dollar. Our taxpayers' money is being used to pay bonuses for schools closed a half century ago, to support a school district without children, to aid school districts now under 90 feet of water since power dams have been built on our rivers.

It is blasphemy against Almighty God when religion is used as a subterfuge to prevent children from receiving the education they need to become citizens in a democracy.

I urge you to support House Bill 2354.

Sincerely yours,
The Rev. Wm. Vaughn Ischie, Jr.
Rector

This, I hope, will point out that there is no desire on anybody's part to violate the Constitution of our Commonwealth and to spend the money for parochial schools.

I would like to point out also that the present formula, as I said in the beginning, has done its job and done it well, and I think it is time for a change. Take my own county, for instance, the County of Bucks. We receive a per capita appropriation of all subsidies for education of \$32.06, while Fulton County receives a per capita subsidy of \$81.59. In Fulton County I think there are probably less people than there are in Bucks County, and I am sure the problems we have in Bucks are 10, 15 or 20 times more serious than they are in Fulton County. A few weeks ago we passed a bill here in the House to pay additional monies because of forest lands purchased by the state. This we returned to the local school districts in the area—another form of subsidy to rural school districts; not counting children, but counting land. Maybe the next time we are going to count the trees out there, I do not know.

We go on further and we see that in Bedford County they received \$71.46 per capita; we see that Clarion County received \$70.87 per capita; that Clearfield County received \$62.89 per capita; that Bradford County received \$69.87 per capita, and so on down the line. Even Juniata received \$67.63 per capita. Many of the other areas, Mr. Speaker, ladies and gentlemen, receive much less. I think it is time that we recognize this problem. I think it is time that it be decided again; to reverse the thinking we had back in 1945, and say to all the counties in the rural areas that is is now your turn to be big, fair and just about this. It is now your turn to say that now that the pendulum has swung, now that the big brothers in the urban and city areas have helped you reach this peak of educational progress, that now it is your turn to assist us in maintaining our educational system in these areas.

I ask all the ladies and gentlemen of the House to seriously consider this and vote in favor of the bill.

The SPEAKER pro tempore. The Chair would inform the Members of the House, though he is sure they do not need to be so informed, that every Member should have an opportunity to speak on any of the bills that come before the House, and I do not desire to call the roll before the debate is closed.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Bucks, Mr. Gallagher.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, would the gentleman inform me whether or not his district in Bucks County will receive slightly over half a million dollars under this bill?

Mr. GALLAGHER. My legislative district or my school district?

Mr. A. D. WILLIAMS. The legislative district, sir.

Mr. GALLAGHER. My legislative district will receive, I think it is \$536,000.

Mr. A. D. WILLIAMS. I understand, Mr. Speaker, that we are not allowed to refer to any other pending legislation, but I would ask the gentleman how many million dollars it will take to put into effect House Bill 2354?

Mr. GALLAGHER. The estimates that I have are \$70 million.

Mr. A. D. WILLIAMS. Does the gentleman have any idea how much his legislative district in Bucks County would receive if that \$70 million were given to his county or his district under the present or existing formula rather than this new proposed formula under 2354?

Mr. GALLAGHER. The entire \$70 million or—

Mr. A. D. WILLIAMS. No, your standard percentage of that \$70 million?

Mr. GALLAGHER. Under what formula?

Mr. A. D. WILLIAMS. Under the old or existing formula.

Mr. GALLAGHER. We would receive less, I believe, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, does he mean that he believes and he does not know; or he believes and he does know?

Mr. GALLAGHER. I believe that we will receive less. I do not have the figures here right before me to tell you exactly how much less.

Mr. A. D. WILLIAMS. If I told the gentleman that his district, under the present formula, would receive over \$1 million and he is asking us to vote for legislation which would take from his county and my county a half million dollars, would he agree with me?

Mr. GALLAGHER. I would have to disagree with the gentleman and he would have to show me the figures to prove it.

Mr. A. D. WILLIAMS. May I ask the gentleman whether or not he has sponsored other legislation on this same subject?

Mr. GALLAGHER. I have sponsored many pieces of legislation.

The SPEAKER pro tempore. The Chair would advise the gentlemen that is not proper questioning at this time.

Mr. A. D. WILLIAMS. Thank you, Mr. Speaker.

Mr. BARTON. Mr. Speaker, I am going to be very brief.

First, I would like to correct one impression as to the mill rates that have been thrown around. Most of them have been mill rates as applied to the local market valuation, not assessed valuation. The fact is this, under this bill approximately 30 percent of the school districts in the state would receive all the benefits of this bill and 70 percent would receive nothing. Seventy-five percent of these funds go into several large school districts. In those school districts which receive the most of the funds

the average mill rate that they are required to supply for public education as applied to their market valuation averages around 10 mills, and for the balance of the state the average is around 11.5 mills, that is against our market valuation. I think that is fairly equal.

Mr. ZIMMERMAN. Mr. Speaker, it seems to me that some of the previous speakers from Philadelphia and that particular area must have recognized some unfairness in this measure when they took the time out for their rather lengthy speeches to pinpoint several counties in this Commonwealth.

As you know I do not often take the advantage of the floor of this House, but because of the inequities that are proposed by this bill I must point them out for the information of this House as I see them. I want to present some facts in dollars and cents.

In Juniata County this bill would only provide \$5,036 for a two-year period, and right now many school districts in my county are operating under a deficit. While we would receive this meager reimbursement Philadelphia, which is not operating under a deficit would receive \$21.5 million—Along with this we must keep in mind that during the 1957-58 school term the average secondary teaching unit cost in my county was \$6,714, while in Philadelphia County the average teaching unit cost was \$9,004, or \$2,290 more per teaching unit. I do not believe there is a Member in this House that would want to deprive the children of Juniata County or any other county under similar circumstances of the same educational facilities as are provided in many other areas of this Commonwealth.

Consequently, I ask all the Members, and I would beg of them, to defeat this measure for the benefit of the school children in many of the rural areas of this Commonwealth.

Mr. GARLOCK. I would ask permission to interrogate the gentleman from Bucks, Mr. Gallagher.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. GALLAGHER. I shall, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, the figure of 85 mills was used as the tax that was assessed in Bucks County. Will you tell me what the percentage of actual market value they used for levying their tax in Bucks County?

Mr. GALLAGHER. Approximately 30 percent, Mr. Speaker.

Mr. GARLOCK. I thank the gentleman.

Mr. Speaker, our county uses a fifty percent figure and we have millage of the different school districts up to 47 mills, so I do not think that Bucks county has a higher millage, even though it might tend to lead you to believe that, than all the other counties.

Mr. P. E. PERRY. Mr. Speaker, I have listened to a lot of this debate about discrimination to a lot of school districts and counties. For the benefit of the House Members, I am going to give you some figures in dollars and cents. One of the opponents mentioned some.

House Bill 2354 is rightfully called the fair play bill—fair play to all the people of Pennsylvania, including the people of the city of Philadelphia. Let me put before you some dollars and cents figures. Total state subsidy amounts to \$380,427,165 and some cents. Philadelphia's share is \$26,322,027.48, slightly less than seven percent. Philadelphia's population is approximately 20 percent of the state total. If we figure it on the population basis Phila-

delphia should receive and should have in the past received \$50 million more for a total of \$76 million on a population basis.

Now we have some districts that moan and complain about the ability to pay. How long do they expect Philadelphia to carry the load for other parts of the state with the movement of population and industry into suburban and rural areas, certainly it is time for these other areas to help carry a fair share of the school subsidy cost to the Commonwealth of Pennsylvania. Why should the Philadelphia teachers' salaries be lower than the four counties surrounding Philadelphia?

I will give you some more figures that you can add two and two on. The per capita state contribution average is \$45.22. The Philadelphia per capita contribution from the state is \$12.75. The contribution to Philadelphia is 28.2 percent of the state per capita average. If Philadelphia receives the state average that it should be entitled to it would get \$93,333,430. Therefore, the state is now short changing Philadelphia to the amount of \$67 million.

All we ask in this 2354 bill is an additional \$10.7 million. Previous speakers have admitted discrimination against Philadelphia, therefore why don't you, the opponents of House Bill 2354 have the courage to eliminate this discrimination? You should vote on this bill on the basis of what is right and fair, and not for sectionalism.

Mr. DOUGHERTY. Mr. Speaker, the distribution of school subsidy funds to the school districts of Pennsylvania is discriminatory. We have tried, in presenting House Bill 2354, to offer an equitable legislative solution to a grievous wrong now being inflicted on the people of many school districts throughout Pennsylvania. If we fail in our legislative effort be assured that we have only begun to fight. We intend to seek a judicial solution to this inequitable situation.

We will seek judicial relief from this intolerable situation. We will carry our fight to the United States Supreme Court if necessary. Our taxpayers will seek to enjoin this distribution of public funds on the present discriminatory basis. The fight has just begun. We do not know where it will go, but we will be there fighting, not only for people of Philadelphia, but all of the other shortchanged taxpayers.

Mr. MAXWELL. Mr. Speaker, I have listened to this very long debate. I am sure this long debate could have been eliminated if this House had seen fit to pass House Bill No. 3 in its original form, which stated that all monies derived therefrom would go to public education. I think there would have been almost enough to go around.

Mr. ISAACS. Mr. Speaker, I ask permission to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, House Bill 2354, which we are considering, would cost \$70 million for the biennium, is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, does the gentleman have the money?

Mr. POLEN. There are no tax revenues on the books

at this time to support \$70 million. I think the gentleman knows that.

Mr. ISAACS. Mr. Speaker, did the gentleman state on the floor of this House that he would not report a bill from the Appropriations Committee unless he had the money to pay for it?

POINT OF ORDER

Mr. McCANN. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCANN. The point of order is House Bill 2354. I request the Chair to confine the remarks dealing with the bill pro or con on the bill, and not what was said or not said about tax measures.

The SPEAKER pro tempore. The gentleman is correct. The gentleman from Delaware will confine his remarks to the bill that is presently before the House.

Mr. ISAACS. Mr. Speaker, I believe the \$70 million is certainly part of this bill.

The SPEAKER pro tempore. The Chair repeats his ruling that the gentleman will confine his remarks to the bill before the House.

Mr. ISAACS. All right, Mr. Speaker. I ask the Speaker's permission to debate the bill.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. ISAACS. Mr. Speaker and Members of the House, being an original sponsor of this measure in the House of Representatives I ask your indulgence for about two minutes.

I will not say the bill is equitable. It certainly has a lot of merit. We have heard a lot here today about the standard reimbursement formula. What is standard one year may not be standard two years hence. That can be changed. The reimbursement fraction has been changed in this House on a number of occasions. I stand ready to support House Bill 2354, if it is called up for a vote and the money is available to pay for it. I am not going to engage in the hypocrisy of voting for a measure which, in this speaker's opinion, never should have been reported to the floor of the House without the money, and until the money is available I do not intend to vote for this bill, or any other state subsidy bill.

Mr. GRAMLICH. Mr. Speaker, Members of the House, there have been many words thrown around here this afternoon, and I do not intend to debate the bill. I am just a country boy, too, from a small county, and I have some figures here that I would like to have before this House and also placed on the record.

I cannot give you the names, but I have in my own district school districts which are taxing our citizens as follows, and these are authentic figures: One, 14.66 mills, another 13.52, another 15.24 and another 15.88. This is on market valuations of property, not assessed valuations. These districts are spending up to \$2,000 less per high school teaching unit than Philadelphia, whose total tax load on Philadelphia citizens for schools, as you have heard, is only a little over 10 mills, to be exact, 10.5. I had 10.3 but it was corrected—we will give you the three-tenths of a cent extra—also on market valuation. These districts in my county would receive no help from House Bill 2354. Are we going to give Philadelphia even more state subsidy, and force my citizens to pay even higher tax rates?

Mr. Speaker, I know that many of the Members of this House have received, literally, hundreds of cards and letters, the same as I have, and these cards and letters were protesting the passage of House Bill No. 2354. I know there are many other Members of this House who feel the same way I do. There are many other Members of this House who represent a County who have received many requests by wire also. Therefore, Mr. Speaker and Members of this House, I urge everyone on both sides to vote against this bill.

Mr. TOMPKINS. Mr. Speaker, I listened to this long debate and for just a couple of minutes I want to summarize some of our legislative policies and program for this Session as it relates to this bill.

We have heard the Chairman of the Appropriations Committee say that this bill will cost \$70 million; we have heard the Chairman of the Appropriations Committee say that there are not sufficient taxes on the books at the present time with which to meet that payment.

When we started this now marathon Session, we had given to us the policy that no bills would pass this House unless there were sufficient taxes on the books to meet the payment thereof. I see no reason at this time to change that policy. We would only throw into confusion everything else that has gone before and unless some tax measures to meet the payment of this are produced and passed along with this bill, I urge every Member on this side of the House to vote against the bill.

POINT OF ORDER

Mr. FINEMAN. To raise a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. I find it most distasteful at any time to have to interrupt any speaker, but I want to pursue a point of order that was raised prior to this. We are limited to confine debate on the merits of this bill and not the fiscal policy as to how we are going to manage the financing of this bill. I find it distasteful to interrupt any speaker, but I think he should confine his remarks to the bill.

Mr. TOMPKINS. Mr. Speaker, how you are going to pay for it is—

The SPEAKER pro tempore. Will the gentleman yield? The gentleman from Philadelphia has raised a point of order with regard to the Acting Minority Leader's debate on this bill.

The Chair would like to state there has been considerable latitude in the debate. This is a very close question and in the Chair's opinion the gentleman has not yet exceeded his prerogative. The gentleman will proceed.

Mr. FINEMAN. May I make one observation, Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. FINEMAN. Along the line of a point of order or to request that the gentleman yield for a moment so that I may make an observation.

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, yield?

Mr. TOMPKINS. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. FINEMAN. I raise this point, Mr. Speaker, simply because we have presented to us in the alternative two bills, 1108 and the bill that is presently before us.

The SPEAKER pro tempore. Will the gentleman yield? The Chair thinks the gentleman is out of order. He has permitted the gentleman from Cameron to yield the floor to him momentarily, but the gentleman from Philadelphia must confine his remarks to the bill which is presently before us.

The Chair does not wish to harass any Member in the debate on this bill, but he feels that the gentleman from Philadelphia is out of order in the last remark that he made.

Mr. TOMPKINS. Mr. Speaker, as I previously stated, there is no information regarding how this bill will be financed. They have given us none. There is no appropriation in this bill. Even though they say it will cost \$70 million? Out of the present appropriations for schools which will further reduce the subsidies under the present formula?

The SPEAKER pro tempore. Will the gentleman yield?

The Chair has been very lenient with the gentleman because of his position in extending to him the privilege of debate on this bill. However, the Chair feels that he is clearly beyond the bounds of proper debate. The gentleman will confine his remarks to the bill that is before us.

Mr. TOMPKINS. Mr. Speaker, I dislike to disagree with the Chair. He has made a ruling which I will abide by.

The SPEAKER pro tempore. The Chair would suggest to the gentleman that he is not in a position to disagree with the Chair.

Mr. TOMPKINS. Well, I have a right—

The SPEAKER pro tempore. The Chair would apologize to the gentleman. Calmer and wiser heads having prevailed, and the Chair will advise the gentleman that he is in a position to disagree with the Chair if he so desires. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, I certainly think it is part of this bill to know exactly where they are going to get the money to pay for it.

When I asked the question as to whether or not they are going to get additional taxes to pay for this bill, or whether they are going to take it out of the appropriations that have already been made to the schools, as a new distribution system, I think it is perfectly germane to this bill. If they are going to take \$70 million out of the present appropriations and give it to Philadelphia as against the \$22 or \$23 million which the gentleman, Mr. Perry, said was going to come from the present reimbursement formula, I certainly think that it ties into this bill. I do not think we should penalize all other school districts in the Commonwealth of Pennsylvania by ditching this formula and taking the money out of the present money provided for the old formula.

Mr. FINEMAN. Mr. Speaker, what I am about to say the Chair might conceivably rule as objectionable.

The SPEAKER pro tempore. The Chair would suggest to the gentleman that he make the statement first, and then the Chair will decide on it.

Mr. FINEMAN. I want to bring to the Chair's attention that he has opened the door by allowing a consideration of collateral matters.

Now, in direct reply to what the gentleman said about

there not being funds available for the payment of this bill, I want to remind the gentleman that this House has passed a personal property tax to provide nearly \$55 million. Let him go to the other Chamber and tell them to put that statute on our books and we will have money for the payment of this bill.

The SPEAKER pro tempore. The Chair is very willing to allow limited debate on this matter as is the right of the House. The Chair would suggest, however, that the Members get back on the track on this debate, and with that in mind, we will recognize the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Thank you, Mr. Speaker.

Some time ago we passed the necessary legislation to permit city-county consolidation in the city of Philadelphia. As more than a casual observer—

The SPEAKER pro tempore. Will the gentleman yield?

POINT OF ORDER

Mr. AUKER. Mr. Speaker, I rise to a point of order. The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Did the gentleman from Cameron County yield the Floor to the gentleman from Philadelphia, Mr. McCormack?

The SPEAKER pro tempore. The Chair understood that the gentleman from Cameron had completed his debate. The Chair would like to inquire of the gentleman . . .

Mr. AUKER. He is still on his feet.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. AUKER. No. I want a point cleared up.

The SPEAKER pro tempore. The gentleman will yield. The Chair would like to inquire of the gentleman from Cameron, Mr. Tompkins, whether he had completed his debate?

Mr. TOMPKINS. Mr. Speaker, I wanted to answer the gentleman from Philadelphia, Mr. Fineman, in order that a misimpression could not be left in the minds of the Members of this House.

The SPEAKER pro tempore. The Chair apologizes to the gentleman for failing to realize that he had not completed his debate in this matter and recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, Mr. Fineman is speaking about a bill that is over in the Senate but that is estimated to produce only \$55 million. This bill provides for \$70 million. There is still not enough money to provide for this bill.

POINT OF ORDER

Mr. McCANN. Mr. Speaker, I rise to a point of order. The SPEAKER pro tempore. The gentleman will state it.

Mr. McCANN. I would request the Speaker very kindly that the Members of the House confine their debate to the bill, as we stated earlier, all those who want to speak will be given an opportunity, but I do request sincerely that we stay within the confines of the bill. I believe there are three or four others who want to speak, but I ask very patiently, that we stay on 2354.

The SPEAKER pro tempore. The gentleman is quite correct. For the information, the Chair is doing his very best to achieve order in the House and confine the debate to the confines of the bill.

The Chair would like to compliment the House on its conduct for the last hour and fifteen minutes while this bill has been debated. I think it is a tribute to the House the way the Membership has conducted itself.

Mr. McCORMACK. Mr. Speaker, as I said before, some time ago this Legislature gave the city of Philadelphia the right to consolidate. As more than a casual observer on Capitol Hill, it is apparent to me that Philadelphia is being used, and I say "used" advisedly, by other counties in the Commonwealth of Pennsylvania.

Rank injustice has been perpetrated on Philadelphia when you consider the amount of money that we pay into the Commonwealth and what we get back, not only in the field of education, but also in the field of highways, and it is apparent to me that nothing is going to be done to change that scene. The Commonwealth of Pennsylvania is entirely dominated by the rural areas, and I think we ought to take the necessary steps in Philadelphia to secede from the Commonwealth.

Mr. SILVERMAN. Mr. Speaker, we are not quite ready for secession, but I would like to interrogate the gentleman from Venango, Mr. Gramlich.

The SPEAKER pro tempore. The Chair would like to inquire of the gentleman whether this is germane to the bill before us?

Mr. SILVERMAN. It is very germane.

The SPEAKER pro tempore. The Chair advises the gentleman from Philadelphia that the gentleman from Venango is not in the Hall of the House.

Mr. SILVERMAN. That is very unfortunate, for just a few moments ago he gave us some very stirring statistics that almost tore my heart apart until I looked and saw the per capita state contribution for Venango was \$39.04 per pupil while for Philadelphia it is \$12.75. He is getting exactly three times what we get in Philadelphia so my heart has stopped bleeding.

Mr. ISAACS. Mr. Speaker, the Chair ruled me out of order once when I was interrogating the gentleman from Washington. I accepted the ruling with reservations and then the Chair opened the door. It later came out just what I was trying to find out. The administration was depending on the personal property tax, and I just want to make one basic commentary. Under that the city of Pittsburgh would be using the city of Philadelphia—

The SPEAKER pro tempore. Will the gentleman yield? The gentleman is certainly out of order and will confine his debate to the bill before us.

Mr. ISAACS. But, Mr. Speaker, you opened the door. I ask to be recognized for one moment.

The SPEAKER pro tempore. The Chair would advise the gentleman that the Chair has now closed the door.

Mr. McCORMACK. Mr. Speaker, I suggest you not only close it but lock it.

Mr. ISAACS. Mr. Speaker, I must ask you for the same treatment that you are according other Members of this House, that is all.

The SPEAKER pro tempore. The gentleman has the floor and may continue his remarks.

Mr. ISAACS. My remarks are just these. Mr. Speaker: if the other Members of this House, including this speaker, vote for that proposition or accept it, then I believe we all had better consult a psychiatrist.

Mrs. REIBMAN. Mr. Speaker, just a few brief re-

marks. I do not want to repeat any of the arguments which have been used in opposition to 2354, but I have these observations to make with respect to arguments from the Commonwealth or its benefits which are returned to a particular locality on a per capita basis.

It has always been the function of the state to provide on the basis of needs to individuals as exemplified in our public assistance laws, on the basis of districts as exemplified in our equalization of school subsidies. That too has been the underlying basis of our federal government. For example, if we should take the arguments advanced by the proponents of 2354 that returns should come back to a locality based on what they pay into the pot, then I would have to buy the argument advanced by New York State, which, because of its large population and because of its great wealth, pays more money in the form of income taxes and excise taxes and every other kind of tax to the Federal government and gets less back in return than many of our states that do not have the great wealth or wherewithall.

Based on that ability, the ability to pay and the ability of need has made our nation strong, and that same kind of philosophy will make our state strong. In the equalization formula with regard to subsidies to schools, it seems to me that we must examine what is the function of the state. The function of the state here is to provide for every school child in Pennsylvania a minimum acceptable program. In arriving at this kind of a formula which has already been explained on the floor of the House there are three basic factors which enter into equalization.

The equalization system operates with these three factors—a measure of local financial capacity, a measure of need, and a measure of local effort. Taking this formula with respect to House Bill 2354, all the rest of the state's subsidy formula is still used in 2354 except that one of these three factors of equalization is kicked out the window, so to speak, and the formula is loaded and in favor of those districts which have less children to educate in a public system by virtue of the fact that citizens in certain areas take their privilege as American citizens to educate their children by some other means, but that still does not lessen their obligation as citizens to the Commonwealth and this great democracy of ours to support wholeheartedly a public school system by which every person benefits.

Taking House Bill 2354, let me say that in my legislative district, for example, and we are not particularly a rural county, we have a second class city, and we have some rural sections. I might say that in my district is the slate belt, which is a chronically depressed area and we are not particularly crying the blues because up in that slate area the market value millage is well above that of many areas. As a matter of fact, in some areas up in the slate belt in Bangor, the millage on market value as certified by the state tax equalization board is 13.08. Under 2354 Bangor receives \$21,818; under another formula it would receive \$56,810. Under 2354, if there are \$70 million to be distributed to school districts, other districts in that particular area do not get one penny out of state subsidies out of the \$70 million that would be appropriated under 2354. Out of 36 school districts in my legislative district, 21 districts in Northampton County would receive nothing under 2354. Of course,

they will get what they are getting now, but they would not share in this \$70 million. These 21 districts are those districts in greatest need. For example, let us take the city of Easton which is a second class school district. Under House Bill 2354, and Easton is in a jointure, they would receive \$138,854. If we take the same \$70 million, assuming that it is available under equilization with the three basic factors involved in the formula for returning subsidies, the school district of Easton would receive \$258,744.

I would like to go back to some of my fourth class school districts. For example, I am going to speak to you of a district called Freemansburg Boro, which is right outside the city of Bethlehem and lies between Bethlehem and Easton. Most of the people who live in Freemansburg area work at the Bethlehem Steel Company. As you know, the Bethlehem Steel Company is on strike. These workers have not worked for over 90 days. The millage in Freemansburg is low because there is no industry other than Bethlehem Steel Company across the bridge in the city of Bethlehem where these people work. Freemansburg Boro still has the obligation to educate the children of these steel workers who are not working and are getting surplus food. Under House Bill 2354, Freemansburg Boro school district will not get one penny. Under a formula utilizing the three basic factors. Freemansburg Boro gets \$27,560.

I could go on and name all of these districts, but there is no point to that. I think that people who have given this bill a great deal of thought, who believe in the philosophy that every child should be given an opportunity to make the best of himself and that have used the function of the state to provide a minimum acceptable education program which can only be accomplished on the basis of need and ability to pay, would agree that 2354 is not the answer to almost every school district in the Commonwealth.

Mr. GELFAND. Mr. Speaker, I would agree with the lady, Mrs. Reibman, that need and the ability to pay are very, very serious factors to be considered in determining school subsidies. It was because we believe there is a tremendous need in Philadelphia and we also believe that there is need to pay elsewhere than in Philadelphia that we feel the House should support this bill. I would say this, that the present formula is not so sanctimonious that it cannot be changed.

As a matter of fact, in the history of Pennsylvania there have been many methods of distribution of subsidies to local school districts. As a matter of fact, at one time it was based on the total pupil population, and I dare say that may still be the proper method. At another time, it was determined on the number of school teachers and the subsidy was based on just the number of school teachers at a specific figure. Gradually this method has changed until 1945 when the present formula was devised, but there is no one here, nor is there anyone in this Commonwealth who can say that it is a magical formula nor the only formula. As a matter of fact, I would gain-say that the fact it is not a magical formula is proved by the very existence of another bill which will be acted upon by this Legislature in the future, supported by the P.S.E.A. by many other Members of this body. That is why I say this bill which we consider today must be given full and

adequate consideration because it does prove to be a fair play bill.

In the United State Congress, for every type of legislation on subsidy to the state, Congress always deals on the basis of the number of pupil population. There is no differential between public school pupils and non-public school pupils. The subsidy is based on total school pupil population.

When we look on the records as to the subsidy paid to local school districts, and I have them right here, I note that they vary from a very large to a very small sum. As a matter of fact, the average per capita subsidy in the state of Pennsylvania is approximately \$45. Now low man on the totum pole in Pennsylvania is Philadelphia, the largest city in the entire state. The city that makes the greatest single contribution to the tax revenue of this state.

I would point out that many, many times before we have considered legislation, and we have made contributions and subsidies to rural and local school districts which consist of mergers and jointures and actually sometimes we pay a subsidy to a district that no longer exists. I know that the entire picture must be reconsidered and I know in order to get a proper distribution of whatever subsidy is necessary, we should consider the entire picture and make a complete study of it and then revise what is given to all the districts of Pennsylvania. Possibly some would benefit, some would lose, but at least then we would have a full and probably a determined, a fair and just equal method of payment.

I know that by going throughout the entire state of Pennsylvania we can find some school districts where the teachers' salaries are much higher than those in other school districts. The mere fact that this inequity exists is an indication that some school districts get more money than they need and other school districts receive lesser sums than they need. By merely establishing Philadelphia's situation to the situations in the districts that surround it, we can easily determine that the school teachers in those districts receive higher salaries than those in the City of Philadelphia. The fact that this is inequity is obvious on its face, and to go back to the statement that Mrs. Reibman made, that we need to assist the local school districts on the basis on need, this is an indication of a real need in Philadelphia.

Now, some gentleman, I believe from Erie County, indicated that we could increase the millage on market value in the city of Philadelphia and thereby obtain additional funds. I would point out to that gentleman that the average Commonwealth millage on market value is eleven per cent or eleven mills. In going throughout the entire Commonwealth I found out there were only thirty-seven counties that did not utilize the average millage of eleven mills on market value, so that Philadelphia alone is not at fault. There are other counties and districts in this state which could also increase their millage. Insofar as the business of including non-public school students together with public school students in order to determine this school subsidy, there is no fairer way in reality because the parents of these non-public school children pay the taxes that come into the general fund, and the general fund is the source of all subsidies, so it is impossible for me to see how it would be inequitable

or unjust for any reimbursement to be determined on the basis of an inclusion of such non-public school students. I say if you really do want to be fair to the locality which does make the strongest contribution to the revenues of this Commonwealth, you should consider this bill fully, and in justice and fairness you will understand that you are aiding a locality that needs proper assistance in order to maintain a proper educational system and you will vote for this bill.

Mr. KAMYK. Mr. Speaker, I have listened with great interest to this lengthy debate and I probably learned more today about this complex system of subsidizing our school districts. This is my sixth Session but I probably learned a lot more today than I did during the five previous sessions.

It seems to me, number one, we have market valuations involved, number two, assessed valuations, number three, the number of school population, number four, parochial school population. Those four items seem to be very much in conflict, and I, coming from the Pittsburgh school district, know that we have been short-changed by this inequitable subsidizing for a long time. Therefore, I think that House Bill 2354 is a step in the right direction. It probably does not take care of all the inequities, but when you compare that a small county gets anywhere between sixty and eighty dollars per capita and then a large county gets anywhere between \$12 and \$20 per capita, I think there is something wrong. I do not think our school children are getting a fair deal all over the state. For those reasons I think the bill should be supported, as it is a step in the right direction, and I ask the House to vote for House Bill 2354.

Mr. EILBERG. Mr. Speaker, my remarks will be very brief. I think the remarks of the lady from Northampton need further reply.

It happens that I am a lawyer, and she is saying "ability to pay," "ability to pay." I do not know what that means as far as the issue before us is concerned, "ability to pay." Is it referring to the market value of real estate in the measure of wealth? Is that what she is referring to? If that is what she is referring to then she is completely wrong as far as her concept of ability to pay is concerned, because the number of school children is also involved. So, I say, Mr. Speaker, let us not be carried away by remarks about ability to pay when on the face they are completely meaningless. When she refers to the question of need, probably all these school districts in Pennsylvania need money.

Reference is made to the question of need. All of the school districts in Pennsylvania need money. Now, if she is referring to the city of Philadelphia, let me assure her and Members of the House that the Board of Education itself, non-political, has determined the need which we are trying to meet in House Bill No. 2354. There is need in Philadelphia. There is need throughout the state and so when we talk about need let us not discriminate against any of the districts.

Mrs. ANDERSON. Mr. Speaker and Members of the House, I am not going to detain you long but I feel that I must speak for the future citizens of Pennsylvania. We are in dire need of funds in Philadelphia, in particular. At this present time, our teachers have even threatened to strike.

I want to quote to you some of the salary figures. The standard, salary figure that the teachers are receiving in Philadelphia, the minimum, is \$4,041 a year; the maximum \$5,700 to \$6,100. That is for standard Bachelor salary. If one has a Master's degree, the minimum is \$4,200 to \$4,300, and the maximum is \$6,500. The surrounding counties, such as Allentown, Bucks County, the suburbs of Philadelphia, even Harrisburg and the West Shore pay more to their teachers than we do in Philadelphia. We are asking that you vote for that bill so that we can continue to have a high calibre of teachers. We want to pay them an equal salary to anybody else in the state. Please vote for 2354.

Mr. DENNIS. Mr. Speaker, I would like to read this letter I received in regard to 2354 and make it part of the record.

Dear Mr. Dennis:

I have long been interested in public education and the various methods and proposals for its support at all levels of the government.

In all proposals made in Congress for aid-to-education, the basis for distribution is the total population or total child population of the various states. The question of whether children are attending public or non-public schools has been considered as having no bearing on a state's ability to support a proper educational program.

H.B. 2354 was introduced into the House with wide-spread bi-partisan support to correct a great inequity. At present many school districts are shown to be much richer than they really are—this happens because the children attending non-public schools are excluded in determining district valuations. Taxpayers in these districts are robbed by lowering the state subsidy and requiring higher local taxes.

This is not a partisan matter. Taxpayers from hundreds of districts will be benefited—regardless of whether they are Republican or Democrats.

I, personally, ask that you guarantee fair play to all the people of Pennsylvania by voting for H.B. 2354. Sincerely yours, William J. Green, Jr. Member of Congress.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—58

Anderson,	Foerster,	Limper,	Reidenbach,
Arlene,	Gailey,	Lutty,	Renwick,
Boles,	Gallagher,	McCann,	Riley,
Branca,	Gelfand,	McCormack,	Scarcelli,
Breth,	Heavey,	McLaughlin,	Schuster,
Capano,	Holt,	Miller, B. Z.,	Schwartz,
Capitolo,	Irvls,	Monroe,	Sherman,
Cianfrani,	Johnson, R.,	Muldowney,	Stewart,
Clarke,	Jones, F. R.,	Mullen,	Sullivan,
Comer,	Jones, T. H. W.,	Musto,	Taylor,
Dennis,	Kamyk,	O'Donnell, J. P.,	Varallo,
Devlin,	Kee,	Parlante,	Walsh,
Dougherty,	Lamb,	Fashley,	Welsh,
Eilberg,	Lee, A. M.,	Perry, P. E.,	
Floyd,	Leonard,	Polaski,	

NAYS—124

Agnew,	Frank,	McCandless,	Schaaf,
Ashton,	Frascella,	McInroy,	Seltzer,
Auker,	Fulmer,	Machmer,	Shupnik,
Balthaser,	Garlock,	Magee,	Silverman,
Barton,	George,	Mahan,	Snare,
Blair,	Gibb,	Markley,	Snider,
Bonner,	Goodrich,	Maxwell,	Stank,
Boris,	Gramlich,	Meholchick,	Steckel,

Bower,	Guthrie,	Merry,	Stimmel,
Bowman,	Hamilton,	Miller, H. G.,	Stone,
Brenninger,	Henzel,	Munley,	Stoner,
Brown,	Hocker,	Murphy, P. J.,	Strausser,
Buchanan,	Holliday,	Murray, H. P.	Tompkins,
Burns,	Horst,	Murray, J. J.,	Ujobai,
Ciom,	Isaacs,	Naugle,	Varnar,
Crossin,	Jenkins,	Needham,	Verona,
Curwood,	Jim,	Nelson,	Wall,
Davis,	Jump,	O'Dell,	Wargo,
Dennison,	Keiser,	O'Donnell, J. A.,	Weidner,
Donahue,	Kernaghan,	Odorisio,	Wescott,
Down,	Kessler,	Oglvie,	Whittaker,
Edwards,	Knecht,	O'Neil,	Williams, A.D., Jr.,
Ehback,	Kooker,	Perry, H. H.,	Willard,
Eshleman,	Kornick,	Petrosky,	Willaredt,
Ewing,	Korns,	Polen,	Wood,
Farabaugh,	Kovolenko,	Prendergast,	Worley,
Fetterolf,	Kubitsky,	Price,	Wynd,
Filo,	Lee, K. B.,	Pursley,	Yatron,
Fineman,	Lippincott,	Reibman,	Yetter,
Flynn,	Lopresti,	Rovansek,	Zimmerman,
Fox,	Luigard,	Sakulsky,	Andrews,

Speaker

NOT VOTING—26

Bell,	Johnson, A. W.,	Murphy, A.J., Jr.,	Thompson,
Cooper,	Light,	Murray, P. G.,	Truslo,
Dengler,	McDonald,	Rigby,	Wheeler,
Donaldson,	McKeever,	Royer,	Williams, E. S.,
Goldstein,	Mihm,	Rudisill,	Wilt,
Heffner,	Mills,	Stevens,	
Helm,	Moran,	Stroup,	

Les than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

STATEMENT BY ACTING MINORITY LEADER

Mr. TOMPKINS. Mr. Speaker, I would like to make this statement before the Members start drifting away.

We are going to convene at 10:00 o'clock in the morning, and there are two very important bills, one of them a stop-gap appropriation for the Department of Welfare that must get over to the Senate so they can take some action on it tomorrow in order that we can keep up the Department of Public Welfare program, as well as another bill, which must get over to the Senate.

I understand the Majority Leader will be taking them up as soon as the prayer is over in the morning, in order that those bills can get into the hands of the Senate.

I give you that notice now as we want to have you here tomorrow morning.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 53, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" requiring an annual physical examination of school bus drivers and providing for filing a certificate of such examination with the Department of Public Instruction and the local school district.

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMITTED

Mr. GOODRICH. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr McCANN.

The House resumed the consideration on final passage of House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

RECONSIDERATION OF VOTE

Mr. BRETH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1802), page 3, line 18, by inserting a bracket before "and" where it appears the first time.

Amend Sec. 1 (Sec. 1802), page 3, line 18, by striking out the brackets before and after "farms".

Amend Sec. 1 (Sec. 1802), page 3, line 18, by striking out "lands".

Amend Sec. 1 (Sec. 1802), page 3, line 19, by inserting a bracket after "along" and inserting immediately thereafter: in.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," excepting mobilehomes house trailers or office trailers from safety glass requirements.

On the question,

Will the House agree to the bill on third reading?

Mr. YETTER asked unanimous consent offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title by striking out "(Act No. 32)" and inserting: (P. L. 58).

Amend Title, page 1, next to last line of Title, by inserting after "tractors": authorizing the secretary to extend the time for registration and operators' licenses and.

Amend Bill, page 2, lines 1 and 2 by striking out both of said lines and inserting:

Section 1. Section 511, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code" is amended by adding after subsection (b) a new subsection to read:

Section 511. Expiration of Registration Plates.—

* * *

(c) The secretary may, with the approval of the Governor, extend the time for not more than thirty (30) days for any registration required by this section in any case.

* * *

Section 2. Section 615 and subsection (d) of section 823 of the act are amended to read:

Section 615. Expiration of Licensee.—All operators' licenses shall be issued for a license year commencing on February first of one year and expiring January thirty-first of the year following. Operators' licenses shall also expire when revoked or suspended for cause by the secretary. Operators' licenses for the succeeding year may, at the option of the licensees, be used on and after January fifteenth of the current year.

The secretary may, with the approval of the Governor, extend the time for not more than thirty (30) days for any operators' licenses issued under this section.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

RECONSIDERATION OF THE VOTE ON HOUSE BILL No. 783

In the House of Representatives, October 20, 1959.

Mr. ROVANSEK. Mr. Speaker, I move that the vote by which House Bill No. 783, Printer's No. 1794, entitled:

"An Act amending the act of June 2, 1937 (P. L. 1198), entitled 'An Act relating to employees and organizations thereof defining labor disputes, prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof: declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith,' by removing certain restrictions on the application of the act."

was defeated on Final Passage Monday, October 19, 1959, be reconsidered.

Mr. FLYNN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Cambria, Mr. Rovanseck, vote on the final passage of this bill?

Mr. ROVANSEK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Flynn, vote on the final passage of this bill?

Mr. FLYNN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1963

Mr. LAMB. Mr. Speaker, I move that the vote by which House Bill No. 1963, Printer's No. 1769, entitled:

"An Act amending the act of December 22, 1951 (P. L. 1715), entitled 'An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings,' removing the maximum limitation on salaries of councilmen."

was defeated on Final Passage Tuesday, October 20, 1959, be reconsidered.

Mr. CLARKE. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Lamb vote on the final passage of this bill?

Mr. LAMB. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Clarke vote on the final passage of this bill?

Mr. CLARKE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LAMB. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LAMB asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for formation.

Amend Title, page 1, next to last line of Title, by striking out "removing" and inserting: changing.

Amend Sec. 1 (Sec. 2), page 2, line 9, by striking out the bracket before "not".

Amend Sec. 1 (Sec. 2), page 2, lines 9 and 10, by inserting a bracket before "ten" in line 9 and after "(\$10,000)" in line 10 and inserting immediately thereafter: twelve thousand six hundred dollars (\$12,600).

Amend Sec. 1 (Sec. 2), page 2, line 10, by striking out the bracket after "annum".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 460, entitled

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third * * * and eighth classes." changing certain fees.

RECONSIDERATION OF VOTE

Mr. A. D. WILLIAMS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. D. WILLIAMS asked and obtained unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 3, line 2, by inserting after "EXTRA": "minimum."

Amend Sec. 1 (Sec. 1), page 3, line 14, by inserting after "(\$1.00)": "extra minimum."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. A. D. WILLIAMS asked and obtained unanimous consent to add additional sponsors, Messrs. LOPRESTI, WYND and A. D. WILLIAMS, to a House Bill No. 460.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at request of Mr. McCANN.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

And has appointed Messrs. STEVENSON, MALLERY and KALMAN a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

REPORTS FROM COMMITTEES

Mr. DEVLIN from the Committee on Judiciary, reported as committed, House Bill No. 227, entitled.

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 431), requiring the owner or con-

tractor in certain cases to post bond for payment of labor and material furnished.

Mr. P. G. MURRAY from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 1095, entitled.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

Mr. P. G. MURRAY from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 1096, entitled.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State regional business development credit corporations.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 227, entitled:

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 341), requiring the owner or contractor in certain cases to post bond for payment of labor and material furnished.

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 864

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

And has appointed Messrs. WAGNER, EHRCOOD and SEYLER a committee of conference to confer with a sim-

ilar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendment non-concurred in by the Senate to Senate Bill No. 864 and a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 864

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. KORNICK, GAILEY and ESHLEMAN.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And has appointed Messrs. WHALLEY, KRAMER and HAYS a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

And has appointed Messrs. ELLIOTT, SHAFER and RIPP and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 163.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 163.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with schools, districts, private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 752.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the inclusion of costs of treasurers' bonds and auditing of treasurers' accounts in estimates of costs of educating handicapped children and providing for reimbursements.

HOUSE BILL No. 1646.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing that evidence of mental condition may be submitted by disposition or affidavit of a physician of any city-owned hospital or institution.

HOUSE BILL No. 1648.

An Act refining and providing for the licensing of child day care homes and centers conferring powers and imposing duties for the Department of Public Welfare.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION NO. 100

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives.

HOUSE RESOLUTION No. 100.

An Act to amend "The Borough Code" approved May 4, 1927 (P. L. 519) empowering the borough council to perform the duties and obligations of a Shade Tree Commission when no Shade Tree Commission has been created.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 899.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

Referred to the Committee on Rules.

SENATE BILL No. 1059.

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act"

increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

Referred to the Committee on Rules.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate insists on amendments to House Bills Nos. 2218 and 2319.

ADJOURNMENT

Mr. SHERMAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 21, 1959 at 9:00 a.m. EST.

The motion was agreed to, and (at 8:25 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, OCTOBER 21, 1959.

No. 106.

SENATE

WEDNESDAY, October 21, 1959.

The Senate met at 9:00 o'clock, a.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, The Venerable ALLEN R. DAY, Rector of Mount Calvary Episcopal Church, Camp Hill, offered the following prayer:

I would like to offer up two prayers this morning; one for you men, and one for your safe return.

Lord of power and Giver of grace and wisdom, we commend to Thee all who are engaged in the government of this State. Grant to them clean hands, pure hearts and un-failing devotion to the cause of righteousness.

To Thee, Merciful Lord, we commend their work, praying that it may be such as will promote Thy work in our midst to the succor of the poor, the relief of the oppressed the putting down of all social evils and to the redress of all social wrongs. Let all those that think or speak or do, do this to the glory of Thy Name and for the service and the good of Thy people. This we ask through Jesus Christ, our Lord.

O God, who art always present with those whom You love, enfold with Thy loving arms those who are away from us at this time. We also ask Thy loving protection for we who are about to return unto our homes. Guide us safely back to those we love so that once again together, with unwavering faith, we may glorify Thy Holy Name, through Jesus Christ, our Lord.

May the Lord bless you and keep you. May the Lord make His face to shine upon you and be gracious unto you. May the Lord lift up his countenance upon you, and guide you safely home. This we ask through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

Senate Bill No. 897, Printer's No. 1052;

House Bill No. 1179, Printer's No. 379;
House Bill No. 1198, Printer's No. 1755;
House Bill No. 2123, Printer's No. 1065;
House Bill No. 2264, Printer's No. 1337; and
House Bill No. 2266, Printer's No. 1366.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from York, Senator Seyler, to the rostrum to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 897

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," increasing the annual salaries of certain officers in counties of the second class.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 864, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

and has appointed Messrs. KORNICK, GAILEY and ESHLEMAN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1261, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the operation of classes or schools for institutional children, the cost thereof to be paid by the Commonwealth.

Which was committed to the Committee on Rules.

House Bill No. 1342, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) excepting certain clubs from the quota limitations.

Which was committed to the Committee on Rules.

House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; . . ." extending the provisions of the act to include certain per diem employes.

Which was committed to the Committee on Rules.

House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds, and declaring the effects and validating certain prior transactions for the borrowing of money.

Which was committed to the Committee on Rules.

House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a high level bridge over the Allegheny River, in Freeport, Armstrong County, . . ." changing the location at which the bridge is to be erected.

Which was committed to the Committee on Rules.

House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381), entitled "An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties," further regulating the height of fences around premises used for raising mink.

Which was committed to the Committee on Rules.

House Bill No. 2409, entitled:

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township, Fayette County, to the government of the United States for use as a National Park, and with certain reservations, ceding jurisdiction over such lands.

Which was committed to the Committee on Rules.

House Bill No. 2410, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, . . . non-tidal waters of any river within the Commonwealth; . . ." providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

Which was committed to the Committee on Rules.

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE THE DEPARTMENT OF PUBLIC INSTRUCTION, PURSUANT TO SENATE RESOLUTION, SERIAL No. 11

Mr. WADE. Mr. President, at this time, I would like to submit the report of the Senate Committee appointed to investigate the Department of Public Instruction. The report has been signed by all members of the Study Committee.

However, a supplement has been added by Senator Seyler and Senator Hays.

I would like, particularly, to call the attention of the Members of the Senate to the recommendation on page 19, for the enactment of House Bill No. 2142, which would create a further study committee during the interim, and other provisions of the report.

The PRESIDING OFFICER. The Chairman of the Special Investigating Committee to investigate the Department of Public Instruction submits the following report, which will be printed in the Journal and copies distributed to the Members.

Senate of Pennsylvania 1959 REPORT

of THE SPECIAL COMMITTEE TO INVESTIGATE the DEPARTMENT OF PUBLIC INSTRUCTION Submitted to the Senate on October 21, 1959

Senate of Pennsylvania
1959

The Special Committee to Investigate
the

Department of Public Instruction
George N. Wade, Chairman
Thomas A. Ehrgood
Jo Hays
Henry J. Probert
Harry E. Seyler
Severino Stefanon, Secretary

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INTRODUCTION

Senate Resolution No. 11, introduced by Senator George N. Wade, Senator Henry J. Probert, and Senator Edward J. Kessler and adopted by the Senate on March 3, 1959, directed that a committee of five Senators be appointed to investigate the Department of Public Instruction and to report its findings and recommendations to the Senate.

The Committee was directed to give particular attention to:

" . . . fiscal policies of the administration of the Department of Public Instruction and expenditure of appropriations without budgetary limitations together with their effect on local school district financing and their effect on the fiscal and educational policies and procedures of the entire educational system within the Commonwealth . . . "

The Committee held fourteen days of public hearings and heard testimony on almost every phase of the Department's activities. In addition,

many written presentations were made available to the Committee.

Throughout the investigation, the Committee had the cooperation of the Superintendent of Public Instruction and the entire Department. The spirit of cooperation exhibited by the Department was helpful to the Committee.

FINDINGS AND RECOMMENDATIONS

The Department of Public Instruction is the largest agency within the State Government that is supported by the General Fund. For the 1959-61 biennium, budget requests exceeded \$884 million, or more than 50 per cent of the total General Fund budget. It was testified that total expenditures for public education will increase in the next decade to \$2.6 billion per biennium, with projections based on today's rate of expenditures.

If expenditures for public education at the local level are considered—expenditures over which the Department's policies exercise considerable control—another \$944 million per biennium would be added to the present-day cost of education.

Obviously, the task assigned the Committee was an imposing one. The scope of the Department's activities is so great that the Committee could not make anything like a thorough examination of the Department, within the time and resources available to it.

The Committee did, however, make inquiry into many phases of the Department activities, within the limits of its time and resources, and as a result of its study, the need for some changes becomes evident.

State Council of Education

Section 202 of the Administrative Code and Section 2802 of the School Code place the State Council of Education in the Department of Public Instruction and make it an administrative office within the Department.

Section 2806 names the members of the State Council as the Superintendent of Public Instruction and nine other members, with the proviso that the Superintendent shall be the president and chief officer. Further, a quorum shall consist of the Superintendent and five other members.

Section 2811 gives broad powers, policy and administrative, to the Council, but, in a footnote, indicates that it is independent of the Superintendent except for matters involving the expenditure of money and gives the Department authority to examine the records and accounts of the Council and to pass on the necessity and propriety of its expenditures.

In reality, then, the State Council of Education is only an adjunct of the Department and is completely subservient to the Superintendent. Testimony heard by the Committee supported this position.

There is no doubt that the Council is generally accepted as being of superior authority to the Department and, therefore, to the Superintendent. Obviously, however, this is not the case.

It was held by several witnesses before the Committee that the State Council of Education should be reorganized. This was supported by the Superintendent. The Committee, however, did not have the benefit of detailed recommendations for its reorganization.

Certainly, the Council should be given broad policy powers. At the same time, there seems to be little reason for burdening the Council with administrative duties. The Council should be independent of and superior to the Superintendent of Public Instruction.

School Finances*

While the Committee was unable to prove any case of waste of public funds, there were instances when responsible public officials indicated a lack of knowledge of basic budgetary and accounting control procedures. Indeed, at times there appeared to be a distressing lack of interest in such procedures and a total absence of coordination by the Superintendent.

That attitude, plus the manner in which some Departmental officials "interpreted" their budget items, emphasized the need for a legislative budget and finance committee which would review and examine fiscal information concerning the budget, the appropriations and the expenditures of the Department of Public Instruction. Such a Committee has been authorized by the 1959 General Assembly, this Committee is happy to note.

*See Dissenting Statement on page 21.

The matter of school finances is one of which permeates almost any discussion on education. Whether it be reorganization of school districts, transportation, accounting and auditing, school building construction, post-secondary education or whatever—the cost of the item is an important factor. Because of this, no attempt will be made to examine finances alone. Rather, the cost will be examined as a part of the phase of education under discussion.

It should be noted here, too, that recent developments in the area of State auditing of school district accounts merit the attention of the General Assembly. An integrated system of reporting, including budgets, financial reports, and auditors reports, should be established for the school district.

Reorganization of School Districts

The problem of reorganization of school districts was set forth by several witnesses before the Committee. The present program, by means of supplemental subsidies, encourages districts to merge or join together in unions. Many extremely small high schools still exist, schools which by their size, it is contended, deny the student the complete education that might otherwise be available to him.

A system of joint school districts is in existence across the State, with more than three-quarters of the districts involved. This was envisioned by some as being a preliminary to the formation of union or merged districts. It seems, however, that further steps should be considered to get the district to form unions and mergers.

The many joint school districts have, generally, offered better and broader programs of instruction. They have done so, however, at an increased cost that has been made necessary to maintain and service these new school systems. New buildings have been required. Larger professional staffs have created a need for more supervisory personnel. Transportation services, with their attendant increase in costs, have risen many-fold.

While it is not contended that a union school district can operate at a reduced cost, improvements in administration, centralization of authority and better coordination of the entire school program are possible. This reorganization should also serve to stabilize the financial structure of the school districts.

A plan must be devised whereby the State's school districts can be reorganized into more efficient units of school administration. This is, however, another of the areas in which the Committee received little by way of concrete suggestions for improvement.

It is recommended, therefore, that this problem be referred for further study. Since its impact

is so general, and its consequence broad, a thorough report should be available to the General Assembly at its next regular session.

School Building Construction*

The General Assembly has authorized subsidies for the construction of school buildings to a maximum of \$925 million, under legislation enacted through the 1957 session. Proposals before the 1959 session would raise this to \$1.4 billion.

The need for new school buildings has, of course, had its impetus from several sources. A huge increase in population has been the result of both an expanded birth rate and a decrease in drop-outs among the older pupils. Shifts of population from established centers to suburban communities have created demands for new schools. Need for replacement of old schoolhouses has added to the construction demand. The new, larger administrative units being created have also added to the pressure for new buildings.

The Committee is disturbed by the frequent reports of school construction which tends to too much lavishness. It is difficult, however, to deter-

* See Dissenting Statement on page 21.

mine the real reasons for the addition of so many extra- and expensive-items. School boards are prone to charge that the Department requires them to add items. The Department claims that it is instrumental in keeping costs down by refusing permission for the addition of unnecessary items within reimbursable amounts of construction. The Department admits need for economies in construction, but claims that it is not easy to convince architects that changes in design and materials might be both better construction and more economical construction.

While it is difficult to fix responsibility for the extravagance in financing and construction of school buildings, policies of the Department of Public Instruction have certainly contributed to the increased costs. However, the responsibility for any extravagances must be shared in part by all concerned.

It is clear to the Committee that the school building program is in need of a thorough and complete examination. A more common sense approach and much more consistency by the Department is needed. A more practical approach by the architects is in order. A more realistic attitude on the part of all concerned is necessary. Properly tied in with reorganization of local school districts, these changes in approach and attitude should result in more economical construction.

Again, there is a dearth of definite suggestions to meet the problem. Certainly the Department should have available on its staff personnel qualified to assist in advising on financing of school construction. The merits of competitive bidding in the sale of bonds, in place of the present negotiated sale, should be explored. Because of the magnitude of the question and its long-range impact on the financial conditions of the local school districts and the Commonwealth's school obligations, it is important that the entire school construction program be examined carefully and immediately.

This problem too, should be referred for study, with the request that a report be submitted to the 1961 Session of the General Assembly.

Transportation

The rapid movement into jointures and the terrific increase in school population that have been witnessed in the past decade have created a major problem in the financing of transportation services. In order for an individual school

district for a joint school system to provide the most efficient bus operation for its own pupils, it has become not uncommon to find duplication of routes among neighboring systems.

If these districts could be put together in some sort of a combined transportation system, whether local, county or regional, efficiencies and economies could be expected. Similarly, there is reason to expect economies through a system of centralized purchasing of buses. Any examination of the school transportation problem would not be complete without a discussion of the relative merits of district-owned buses versus contract hauling of pupils.

Again, the Committee heard the many facets of the problem, and a few of the possible solutions. It is recommended, however, that this subject also be referred for study.

Distribution of State Subsidies

A discussion of the distribution of State subsidies must recognize that two factors are involved. One, the level at which it is determined to equalize educational opportunity, which determines how much the educational program will cost, and, two, how that cost is to be divided between the State and local district.

Presently, distribution is made on the basis of a formula that places the "equalization level" at \$5,800 and which requires the local district to make an effort equal to 4-3/8 mills of its market value.

This formula has been questioned. It is charged that the formula is not equitable. It is also contended that the levels of \$5,800 and 4-3/8 mills are now too low.

In considering possible alternatives during the 1959 Session, the General Assembly has given thought to proposals which would, among other changes, raise both the equalization level and the local effort and change the method for determining teaching units. While there are differences of opinion on the philosophies involved, there are also differences on each proposal when estimates are placed on the cost of each to the Commonwealth and to the school districts.

The General Assembly has been discussing this problem throughout this Session. The Committee devoted many hours to the question. Its importance and its impact on the educational system and on the taxpayers cannot be denied. Nevertheless, the acceptable solution is no nearer now than it was when the Assembly first convened this year.

It is imperative that the General Assembly continue to study the distribution of State subsidies to assure that the fairest and most equitable system is employed.

Post-Secondary Education

Efficient administration of education at the post-secondary level in Pennsylvania is made difficult by the crowded conditions which exist at most of the State's colleges and universities. This problem will be compounded by an expected increase of 60,000 students within the coming decade.

In order that the Commonwealth may meet the demand for an education for its youth, coordinated planning must be initiated immediately. Two factors must be borne in mind: The Program of Education offered must be adequate and it must be within the means of the Commonwealth and its taxpayers.

Numerous suggestions have been offered to the Committee. Many of them merit consideration.

The State Teachers Colleges should become instead State Colleges and their function expanded from one limited to teacher education to one offering a general college education program.

At the same time, there is obvious need for expansion in college facilities to accommodate the increased enrollment anticipated. This can be accomplished by added construction at the State's colleges or by the establishment of a system of junior colleges across the State.

A system of junior colleges, it is contended, will siphon off from the colleges the freshmen and sophomores, permitting these institutions to accommodate the larger junior and senior classes without expansion in staff or physical facilities. This program assumes the use of high school or other existing buildings.

However a junior college program is to be established, the plan should be given serious consideration. It is important that the exact place of the junior college within the State's system of public education be clearly established.

A thorough study should be made to evaluate the need and the best and most effective system that could be set up. It is recommended that this question be referred to further study and later report to the General Assembly.

Any report should review the entire public education program in Pennsylvania at the post-secondary level. The obvious need for closer liaison between the Department, the high schools and the colleges should be explored in the study.

With the need for closer cooperation throughout all levels of educations being cited as necessary if a system of education is to be one coordinated program, it is imperative that there be but one body responsible for making policy and for coordinating and supervising the entire program.

Professional Licensing

Evidence before the Committee is overwhelming that the responsibility for the administration of professional licensing should not be with the Department of Public Instruction.

The only reason for having 14 boards in the Department hinges on the fact that each board includes some sort of educational requirement among its qualifications for issuing a license to practice the profession it regulates.

This does not appear to be sufficient reason for burdening the Department with a function that has little to do with the education of public school children in Pennsylvania.

It is recommended that the Bureau of Professional Licensing be transferred from the Department of Public Instruction to another of the departments of State government. While there is no compelling reason for doing so, the probable place for the function is with the Secretary of the Commonwealth, although further study might suggest placing it elsewhere.

This Committee is interested only in its removal from the Department of Public Instruction. Apparently, changes and coordination in the administration of the 14 boards is in order, but the Committee will not enter into the discussion, since its primary interest lies with the Department of Public Instruction.

Recapitulation

Suggestions have been made that, if implemented, would result in a general reorganization of the educational system in Pennsylvania. The State Council of Education would be reorganized; school districts would be reorganized; an integrated system of post-secondary education would be established.

A number of studies have been recommended which would serve to assist the General Assembly in considering fiscal aspects of education. School building construction has added tremendously to the cost of education in Pennsylvania. School transportation, expanded many-fold because of

the widespread movement into jointures and the increase in school population, has added to the cost of education.

The increased costs of education and the demand on the part of the public for better educational programs have spotlighted possible inequities which exist in the present system of distribution of State subsidies and the accompanying equalization of educational opportunity across the State. Because of this, request is made for continuing studies into the distribution of State subsidies for education.

Suggestions are made that an integrated system of post-secondary education be established. The apparent need demands that early consideration be given so that, if found to be critical, a system can be in operation in time for it to help in absorbing the increase of 60,000 students that is expected at the college level within the coming decade.

To unburden the Department of Public Instruction of a chore that does not properly belong there, it is recommended that its Bureau of Professional Licensing be transferred to another department within the State government.

Commission on Education

It is noteworthy that every recommendation made, with the possible exception of the transfer of Professional Licensing, requires further study before decisions can be made. In many instances the further study is made necessary by the lack of agreement among school people on basic issues.

It is imperative, then, that a special study group be created. To be effective, such a study group should have sufficient resources in time, money and staff to permit a thorough examination of the problems cited.

It is recommended that H-2142, now before the Senate Committee on Rules, be amended so that there be created a temporary Commission, composed of legislative and non-legislative members. The Commission shall be charged with the duty of determining which of the problems cited here are most critical and to make a complete and thorough study of these problems. The Commission should report back to the General Assembly at the 1961 Session with detailed recommendations. The report should specify the State's share and the local share of the cost of its recommendations.

Should its recommendations be such as to increase the cost of education to the Commonwealth, the Commission shall determine the amount of increase and shall make recommendations to the General Assembly as to how the additional funds may be secured. At any point in the report, alternative recommendations may be submitted, so long as each is complete.

Because of the little time remaining between now and 1961 Session and in view of the magnitude of some of the problems to be considered, it is imperative that the Commission on Education be appointed and that it organize with a minimum of delay.

If such a Commission is created, the many resolutions introduced in the Senate and in the House of Representatives to study various phases of education in Pennsylvania, could properly be a part of its agenda.

Dissenting Statement by Senator Jo Hays and Senator Harry E. Seyler

With two noteworthy exceptions, we are content with the report of the special Senate committee. We are also content to join the majority of the committee in its recommendation of a temporary Commission on Education provided that

adequate revenue is provided for this purpose.

There are two areas, however, in which the report of the committee is in glaring contrast with the facts as they appear in the proceedings of the committee. In both instances, the report is unfair to the Department of Public Instruction, in one instance to the local officials of our school districts, and in one instance the position of two members of the committee is misrepresented.

On page 7 under the heading "School Finances," unfair and unwarranted generalizations are drawn from the testimony presented at the hearing. It is certainly true that the committee found no evidence of waste in public funds in the management of the Department of Public Instruction. The famous charge, which formed the original basis of the committee's appointment—of the alleged \$100,000 expended "to redecorate a suite of offices"—evaporated when exposed to the evidence. All other similar charges and innuendoes were similarly found baseless.

It is not true, however, that there was evidence of "instances when responsible public officials indicated a lack of knowledge of basic budgeting and accounting control procedures"; nor was there evidence to support the statement that "at times there appeared to be a distressing lack of interest in such procedures and a total absence of coordination by the Superintendent." There were times, it is true, when questions were asked of witnesses which did not pertain to their area of competence or responsibility. Surely, not all members of the department nor even a majority can be expected to be expert accountants, or expert in the details of budgeting control procedures. If this were so, there would be a reasonable basis of complaint in that such a situation would indicate that there were too many accountants and not enough educators in a department entrusted with educational leadership of the state's school systems.

Repeatedly such interrogations misdirected by members of the committee were referred to members of the department who were properly entrusted with such fiscal administration and all such questions were entirely and adequately answered when so appropriately referred. A person who expects a Superintendent of Public Instruction, the prime educational statesman of the Commonwealth, to devote his time to master the small details of budget control assigned by him to experts in such areas, instead of the great questions of educational policy, is hardly equipped to investigate this important area of the state's responsibility to its citizens. Much testimony was available within and without the department among the state's outstanding educators that the Superintendent was meeting this prime responsibility of educational leadership in an outstanding manner.

In the second paragraph under "School Finances" on page 7 of the report the position of at least two of the members of the Senate committee is misrepresented. We certainly do not agree that there is a "need for a legislative budget and finance committee which would review and examine fiscal information concerning the budget, the appropriations and the expenditures of the Department of Public Instruction," or of other executive departments of the government. Nor are we "happy to note" that "such a Committee has been authorized." We voted against this proposal.

It seems to us that such a committee can well endanger the division of powers established by our federal and state constitutions and so subvert what has been one of the distinctive advantages of our form of government. The balance of power between the three parts of our government is likely to be destroyed if one of them as-

sumes the power to interfere with the constitutional duties of the others.

The other area of the report which we find not warranted by the evidence produced in the hearings of the committee occurs in the 3rd, 4th, and 5th paragraphs under the heading "School Building Construction" on pages 10 and 11.

There was no explicit evidence presented to the committee which established the incidence of "lavishness" in school construction. Nor were any criteria presented which were accepted by the committee enabling them to draw a distinction between adequacy, attractiveness, and "lavishness." The term "lavishness" in regard to school construction is an epithet which can be used to condemn but which is a matter of taste and judgment by school board members elected by the citizens and taxpayers of local communities, responsive to such citizens and removable by them at regular elections.

Nor is it true that any school boards appearing before the committee charged that the Department was responsible for adding educationally unnecessary items. Some locally disgruntled citizens alleged that such items were included in buildings, but all such allegations about the Department were thoroughly refuted.

Perhaps it is true that the evidence indicated that more authority should be given to the Department to regulate school plans and construction, and perhaps there was also evidence warranting the conclusion that more staff was needed by the Department, particularly experts in this area, but certainly there was no evidence warranting the statement that "a more common sense approach and much more consistency by the Department is needed."

Pronouncements of individual committee members were constantly filled with such statements, but these are not to be confused with unrefuted testimony of competent witnesses who were heard by the committee.

Serial No. 11 (Not printed)

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By Messrs. WADE, PROPERT and KESSLER.

SENATE COMMITTEE TO INVESTIGATE THE REDECORATION OF THE OFFICES OF CHARLES H. BOEHM, SUPERINTENDENT OF PUBLIC INSTRUCTION.

In the Senate, February 16, 1959.

It is rumored from reliable sources that the Superintendent of Public Instruction, Dr. Charles H. Boehm, is in the process of expending approximately \$100,000 to redecorate his suite of offices and that within the past twelve months he has remodeled rooms adjacent to his private office at a similar cost. If these rumors are true, it is difficult to understand why such extensive alterations and beautifications are being undertaken at a time when our public schools need every available dollar to carry on the education of our youth. The amount being expended, if properly applied, could undoubtedly prevent certain schools from being closed as fire hazards.

Such an expensive undertaking is certainly not in conformity with the purported economies to be effected by our new administration.

It is recognized that responsible officials of our Commonwealth should be provided with adequate offices, but a line should be drawn between that which is necessary for comfort and efficiency and that which constitutes luxury and reputed sheer waste of tax moneys; therefore, be it Resolved, that the President Pro Tempore of the Senate appoint a committee of five Senators to investigate the truthfulness of rumors relating to

the redecoration of the offices of Charles H. Boehm, Superintendent of Public Instruction, and further fiscal policies of his administration of the Department of Public Instruction and expenditure of appropriations without budgetary limitation together with their effect on local school district financing and their effect on the fiscal and educational policies and procedures of the entire educational system within the Commonwealth and to determine whether or not such costly alterations and policies are necessary and defensible at this time; and be it further

Resolved, That the committee may hold hearings take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee so appointed shall report back to the Senate its findings and recommendations as soon as possible.

Referred to Rules, February 16.

Reported as amended, March 2.

Adopted March 3, 1959.

Mr. HAYS. Mr. President and Members of the Senate, I would call your attention to the fact that this is a thirty-page report, which is a kind of distillation of some thousands of pages of testimony, and hundreds of pages of exhibits.

These materials represent, it seems to me, a good study of public education and the department of Public Instruction in the year 1959 in this Commonwealth. I have been told by students and librarians that these are the kind of materials which are useful to them. I also understand that many copies of the thirty-page report are available. However, there are a limited number—seven or eight—of copies of the original thousands of pages of testimony. Therefore, I am suggesting to my fellow committee members that we make available to universities in the State that have students, particularly graduate students in political science, government and education, our copies of this particular study, so that the libraries of the State may be enriched in this manner. It is my plan to give my copies to the library of Pennsylvania State University, and I suggest to the other members of the committee that they give consideration to this aspect of the report.

It seems to me, in this way, the State will benefit from the report in a way that most of us on the committee had not originally thought they would benefit.

I call to your attention, also, that there have been times perhaps when I have spoken here on behalf of public education and asked the Senators to provide money. Here is a way we can help higher education in Pennsylvania without expending a penny.

The PRESIDING OFFICER. The Chair might normally be expected to speak on this topic. However, by the wise

provision of the President pro tempore, the Chair is now prevented from making any comments.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Appropriations, reported as committed, Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and Judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of judges of the Municipal Court of Philadelphia.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

HOUSE CONCURRENT RESOLUTION No. 102 REPORTED FROM COMMITTEE

Mr. RUTH from the Committee on Rules, to which was referred on September 15, 1959, the following resolution from the House of Representatives, reported the same without amendments as follows, viz:

STATE COUNCIL CIVIL DEFENSE CONSULT WITH ATOMIC ENERGY COMMISSION ON DEFENSE MEASURES

In the House of Representatives, August 5, 1959.

It has long been evident that the rulers of international Communism are determined to spread their godless doctrine to every part of the globe by any and all means, including war if other means fail.

The people of the United States and of the Commonwealth of Pennsylvania may one day be subjected to the supreme trial of an all-out atom and hydrogen bomb attack.

Such an all-out attack against us is less likely to come if we bring our military and civil defense preparedness to a high level.

The continuity of State government and protection of its key personnel will be of vital importance during an atomic attack.

The General State Authority is now designing a second underground parking facility to be built adjacent to the State Capitol Building in Harrisburg; therefore be it

Resolved (The Senate concurring), That the State Council of Civil Defense, in cooperation with the General State Authority, be directed to consult with the Atomic Energy Commission in Washington, D. C. on the feasibility of extending the use of the projected underground parking facility to include (1) a fallout shelter for government employees; (2) emergency operational headquarters to be used by the Governor and the Council of Civil Defense, or both, and study such other Civil Defense uses as can be made of the structure; and be it further

Resolved, That the State Council of Civil Defense report its findings to the Legislature; and be it further

Resolved, That copies of this resolution be transmitted to the State Council of Civil Defense and to the General State Authority.

The PRESIDING OFFICER. This resolution will appear on the Calendar for Monday, November 9, 1959.

REPORTS FROM COMMITTEE

Mr. BERGER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 924, entitled:

An Act providing subpoena power for District Attorneys.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; . . ." further providing for the giving of copies of notes of testimony in criminal cases.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1355, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), redefining the offense of shoplifting as larceny, a felony, and increasing penalties for such offense.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Edward L. Dardanell, 1500 Riverside Road, Pittsburgh 35, Allegheny County to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hugh J. McMenamin, Scranton, Lackawanna County, for re-appointment as a member of the Pennsylvania Aeronautics Commission, from December 1, 1958, until December 1, 1962, and until his successor shall be duly appointed and shall have qualified, unless not re-elected for succeeding term.

DAVID L. LAWRENCE.

BILL INTRODUCED AND REFERRED

Mr. VAN SANT read in his place and presented in the Chair Senate Bill No. 1230, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," further providing for optional minimum retirement allowances.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. TAYLOR, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1961, and until his successor is appointed and qualified:

Edward L. Dardanell, 1500 Riverside Road, Pittsburgh 35, Allegheny County, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hugh J. McMenamin, Scranton, Lackawanna County, for re-appointment as a member of the Pennsylvania Aeronautics Commission, from December 1, 1958, until December 1, 1962, and until his successor shall be duly appointed and shall have qualified, unless not re-elected for succeeding term.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. TAYLOR, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	McMenamin,	Stiefel,
Berger,	Kalman,	Miller,	Taylor,
Blass,	Keller,	Mullin,	Van Sant,
Camel,	Kessler,	Murray,	Wade,
Chapman,	Koprivier, Jr.,	Pechan,	Wagner,
Confair,	Kromer,	Propert,	Walker,
DiSilvestro,	Lane,	Ripp,	Watkins,
Donolow,	Madigan,	Ruth,	Welner,
Ehrgood,	Mahady,	Rooney,	Whalley,
Elliott,	Mallery,	Sarra,	Wolfe,
Flack,	McCreesh,	Scott,	Silver,
Fleming,	McGinnis,	Shafer,	Seyler,
Harney,		Stevenson,	Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) changing eligibility requirements for examination.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 578, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 578, recalled from the Governor.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Perchan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 375

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 375.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1107

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1107.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agreed to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly and which is now the property of the Borough of Northumberland providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical and Museum Commission authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof authorizing the Pennsylvania Historical and Museum Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical and Museum Commission to accept as gifts or loans such books manuscripts pamphlet relics and furniture as interested societies or individuals may provide for enhancing the interests of this property as a museum of science creating an advisory board to assist in such functions and making an appropriation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Seyler,
Harney,	McGinnis,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 998, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by defining distressed school districts creating and authorizing a special board of control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases impos-

ing duties on boards of school directors and authorizing their removal in certain cases.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Mahady,	Ruth,	Watkins,
Ehrgood,	Madigan,	Sarra,	Weiner,
Elliot,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliot,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1121, Printer's No. 1205, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1122, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" providing for the placing of blood type and RH factor on operator's license card.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliot,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silver,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to Boarding Houses for infants

providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" re-defining boarding houses for children.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF HOUSE BILL No. 1122

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which this bill just passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1122, Printer's No. 1235, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1199, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925" further regulating the catching taking killing and possession of carp.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarraf,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Shafer,	Seyler,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

NAYS—1

Seyler,

Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1443, Printer's No. 573 on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use, of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	McMenamin,	Stevenson,
Berger,	Kalman,	Miller,	Stiefel,
Blass,	Keller,	Mullin,	Taylor,
Camel,	Kessler,	Murray,	Van Sant,
Chapman,	Koprivier, Jr.,	Pechan,	Wade,
Confair,	Kromer,	Propert,	Wagner,
DiSilvestro,	Lane,	Ripp,	Walker,
Donolow,	Madigan,	Rooney,	Watkins,
Ehrgood,	Mahady,	Ruth,	Weiner,
Elliot,	Mallery,	Sarraf,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Shafer,	Seyler,
Harney,		Silvert,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1614, Printer's No. 1823, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	McMenamin,	Stevenson,
Berger,	Kalman,	Miller,	Stiefel,
Blass,	Keller,	Mullin,	Taylor,
Camel,	Kessler,	Murray,	Van Sant,
Chapman,	Koprivier, Jr.,	Pechan,	Wade,
Confair,	Kromer,	Propert,	Wagner,
DiSilvestro,	Lane,	Ripp,	Walker,
Donolow,	Madigan,	Rooney,	Watkins,
Ehrgood,	Mahady,	Ruth,	Weiner,
Elliot,	Mallery,	Sarraf,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Shafer,	Seyler,
Harney,		Silvert,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarraf,	Weiner,
Elliot,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Seyler,
Harney,			Presiding Officer

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440), entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for

the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority," designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	McMenamin,	Stevenson,
Berger,	Kalman,	Miller,	Stiefel,
Blass,	Keller,	Mullin,	Taylor,
Camel,	Kessler,	Murray,	Van Sant,
Chapman,	Koprivier, Jr.,	Pechan,	Wade,
Confair,	Kromer,	Probert,	Wagner,
DiSilvestro,	Lane,	Ripp,	Walker,
Donolow,	Madigan,	Rooney,	Watkins,
Ehrgood,	Mahady,	Ruth,	Weiner,
Elliott,	Mallery,	Sarra,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Shafer,	Seyler,
Harney,		Silvert,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1898, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Shafer,	Seyler,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1942, Printer's No. 1829; and

House Bill No. 2021, Printer's No. 1778.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2028, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925" further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Shafer,	Seyler,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2302, Printer's No. 1831, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959," further providing for disability allowances in the event a disability annuitant is able to engage in gainful

occupation making technical changes and clarifying language.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarraff,	Whalley,
Elliott,	Mallery,	Scott,	Wolfe,
Flack,	McCreesh,	Shafer,	Seyler,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes," extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraff,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Seyler,
Harney,	McMenamin,		

NAYS—0

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following appropriation bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printer's No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002;
House Bill No. 1157, Printer's No. 1822;
Senate Bill No. 1194, Printer's No. 1457;
House Bill No. 1508, Printer's No. 1530;
House Bill No. 1894, Printer's No. 943;
House Bill No. 2303, Printer's No. 1413;
House Bill No. 2304, Printer's No. 1414; and
House Bill No. 2313, Printer's No. 1523.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 79; and
House Bill No. 355, Printer's No. 1710.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 476, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 506, Printer's No. 1826, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 910, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the computation and payment of tuition charges for nonresident pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 932, Printer's No. 1095, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous unsafe or structurally dangerous buildings or premises in cities of the first class providing for the service or posting of notices relating to the work necessary to abate such nuisances authorizing such cities of the first class themselves or by contract to abate such nuisances under certain conditions providing for the filing of liens for the cost of such work and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1186, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the sale of surplus personal property by boards of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1189, entitled:

An Act directing the Secretary of Public Welfare to enter into a contract of lease providing for the operation

and maintenance of the Scranton State Hospital by a non-profit corporation organized for that purpose providing for the terms of the lease including an option to purchase providing for the operation and maintenance of the hospital under the lease and making appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1380, Printer's No. 1810; and

House Bill No. 1384, Printer's No. 1756.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1798, Printer's No. 1828, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1904, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" defining the word "taxes" to include penalties and interest.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous Consent that House Bill No. 1927, Printer's No. 1665, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 1850, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2120, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law" prescribing an alternative method for fixing the rates of common carriers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2165, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2181, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and intersections in the State highway system and imposing duties on the Department of Highways.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employee's Retirement Board and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2372, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2382, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" changing the provisions which make certain worldly employment unlawful on Sunday.

And said bill having been read at length the second time, and agreed to.

On the question,

Will the Senate agree to the bill on second reading?

Mr. WEINER. Mr. President, I know that Second Reading is not the time to debate a bill. My purpose is not to debate this measure, but to merely observe that since we passed Senate Bill No. 405, which was supposed to clarify all of the problems regarding Sunday closings and Sunday enforcement, we have since passed four other measures to further clarify the clarification. I am afraid if this Session goes much longer, we will have a number of other clarifications which will have to be made to this very excellent law which was passed here, which sort of clarified what was a miasma to begin with, and which will continue to be a miasma as long as we have this law on the books, which I thought, and still say, is a retrogressive piece of legislation.

I just wanted to bring to your attention that we continue to pass behind this clarification, further clarifications.

Mr. BERGER. Mr. President, I do not understand that this is a bill to clarify Senate Bill No. 405. On the other hand, if the Senator has in mind some further clarification bills on that, I have several that we might consider.

Mr. WEINER. Mr. President, this only bears out what I have been saying. As long as we are here, we will have further clarifications of the clarification.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agree to .

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2405, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act" further defining the word "document."

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

STUDENTS OF SWOYERSVILLE HIGH SCHOOL, SWOYERSVILLE, LUZERNE COUNTY, PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, in the absence of our distinguished colleague, the Honorable Harold E. Flack, who underwent surgery recently and is recuperating at his home, I would like to take this opportunity to introduce a group of visitors from Luzerne County who are with us today in the Senate. They are students from the Swoyersville High School in Swoyersville, Pennsylvania. We are delighted to have them here, coming from that great county of Luzerne.

The PRESIDING OFFICER. The Chair is very happy to welcome these students. At this time, I ask them to rise and receive the applause of the Senate.

On behalf of Senator Flack, who is absent today, we welcome you. We regret that the good Senator is not able to be present with us today. All of us are, of course, hoping for his early return to the Senate.

BILL INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER read in place and presented to the Chair Senate Bill No. 1231, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," authorizing associations to enter into contracts for the insurance or guarantee of their obligations.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as amended, House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for additional payments to certain school districts.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 924, entitled:

An Act providing subpoena power for District Attorneys.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery referees, examiners, auditors, and other officers; . . ." further providing for the giving of copies of notes of testimony in criminal cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1355, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), redefining the offense of shoplifting as larceny, a felony, and increasing penalties for such offense.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for additional payments to certain school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. BERGER. Mr. President, I request a one-half hour recess of the Senate for the purpose of awaiting communications from the House of Representatives.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a one-half hour recess of the Senate.

AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE STATE BOARD OF MOTION
PICTURE CONTROL

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Board of Motion Picture Control, for the term of four years, and until their successors shall have been appointed and qualified:

Peter T. Dana, 5400 Hobart Street, Pittsburgh, Allegheny County.

Ira C. Sassaman, 333 West High Street, Hummelstown, Dauphin County.

Mrs. Mae M. Bergin, 3316 Ainslie Street, Philadelphia 29, Philadelphia County.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS OF THE
FIFTEENTH JUDICIAL DISTRICT OF
PENNSYLVANIA

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel Lichtenfeld, Crestline Road, Strafford, Wayne, Chester County, for appointment as Judge of the Court of Common Pleas of the Fifteenth Judicial District of Pennsylvania, composed of the County of Chester, until the first Monday of January 1962, vice Hon. Ernest Harvey, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS OF THE
SEVENTH JUDICIAL DISTRICT OF
PENNSYLVANIA

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. Fullam, Wrightstown, Bucks County, for appointment as Judge of the Court of Common Pleas of the Seventh Judicial District of Pennsylvania, composed of the County

of Bucks, until the first Monday of January 1962, vice Hon. I. Louis Rubin, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1213

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concur), That House Bill No. 1213, Printer's No. 1075, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1897

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concur), That House Bill No. 1897, Printer's No. 1657, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), further regulating the disbursements of funds by brokers.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1968

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, October 19, 1959.

Resolved (if the Senate concur), That House Bill No. 1968, Printer's No. 1613, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2355

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

HOUSE CONCURS IN SENATE BILL No. 535

He also returned to the Senate, Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing tax levy provisions when land and buildings are taxed separately.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 747

He also returned to the Senate, Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," prohibiting the operation of such vehicles on highways when occupied by passengers; and fixing penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 748

He also returned to the Senate, Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," providing a special handling permit for pickup mobilehomes and office trailers from jobbers and dealers.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 750

He also returned to the Senate, Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," fixing the annual registration fee for mobil homes house trailers and office trailers.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 751

He also returned to the Senate, Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," exempting certain trailers from lighting requirements.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 2386, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March

31, 1949 (P. L. 372), increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Which was committed to the Committee on Rules.

House Bill No. 2399, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing penalties for throwing materials from vehicles or tractors.

Which was committed to the Committee on Rules.

House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eight class' increasing the annual salary of certain county officers in counties of the eighth class," clarifying the effective date.

Which was committed to the Committee on Rules.

House Bill No. 2414, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for payment to posts of the Italian-American World War Veterans of the United States, Incorporated.

Which was committed to the Committee on Rules.

House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955), providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Which was committed to the Committee on Rules.

House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

Which was committed to the Committee on Rules.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, October 20, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvenes Monday, November 9, 1959, at THREE o'clock P. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, November 9, 1959, at FOUR-THIRTY o'clock P. M., E. S. T., unless sooner recalled by the Speaker of the House of Representatives.

SENATE BILL No. 749 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1059 (Act No. 32), entitled "The Vehicle Code," excepting mobilehomes, house trailers or office trailers from safety glass requirements.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. BERGER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WAGNER. Mr. President, I second the motion.
The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 749, which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 749

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 749.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elllott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Taylor,
Harney,	McMenamin,		Pres. Pro Tem.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The president pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

House Bill No. 163, Printer's No. 1766;
Senate Bill No. 375, Printer's No. 1521;
Senate Bill No. 747, Printer's No. 838;
Senate Bill No. 748, Printer's No. 839;
Senate Bill No. 749, Printer's No. 840;

Senate Bill No. 750, Printer's No. 1071;
Senate Bill No. 751, Printer's No. 1326;
House Bill No. 752, Printer's No. 433;
Senate Bill No. 1107, Printer's No. 1538;
House Bill No. 1646, Printer's No. 1486;
House Bill No. 1648, Printer's No. 1210, and
House Bill No. 2355, Printer's No. 1641.

REPORTS FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as committed, House Bill No. 804, entitled:

An Act repealing Sec. 5, act of June 13, 1837 (P. L. 551), entitled "An act relating to roads, highways and bridges, abolishing certain requirements concerning breadth of roads.

He also from the Committee on Rules reported as committed, Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

He also from the Committee on Rules reported as committed, House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom the purpose of carrying out of Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 804, entitled:

An Act amending the act of June 13, 1836 (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing the Secretary of Highways to determine the maximum width of public highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 1223, entitled:

An Act amending the act of March 10, 1949, P. L. 30), entitled "Public School Code of 1949," providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, November 9, 1959 at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:38 o'clock, p. m., Eastern Standard Time, until Monday, November 9, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, October 21, 1959

The House met at 9:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Reverend Nelson Frank, Pastor of St. Paul's Methodist Church, State College, Centre County, guest Chaplain and guest of the gentleman from Centre County, Mr. Fulmer and the House Chaplain, offered the following prayer:

Eternal God, Whose mercy is over all Thy works and Whose will is ever directed to Thy children's good, we bow reverently before Thee.

We thank Thee for Thy kindly Providence that has watched over us in all our ways. For the blessings of home and country, the good fortune of health and friends, and for the sense of Thy abiding presence, we offer our praise and thanksgiving.

We ask Thy blessing upon the men and women in this room who represent the people this State, and who are called upon to make decisions affecting the welfare of ten million people. Season their judgement with wisdom and their spirit with courage.

Enlarge our minds to think Thy thoughts and strengthen our resolve to do Thy will, this day and always. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, October 20, 1959 will be postponed until printed.

The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. AGNEW asked and obtained unanimous consent to address the House.

Mr. Speaker, there appeared an article in the Philadelphia Inquirer, Tuesday morning edition, under the by-line of John M. Cummings, which I think is worthy of comment in this legislative Hall and deserves answer.

I do not know whether this article was intended to be humorous. If it was, I would then now apologize to the reporter under whose by-line the article appears.

However, what it was intended to be and what it is are two different things. As background for my comments, for those of you who may have missed this enlightening piece of journalism, I shall now quote, not verbatim, but pertinent portions of this illuminating article.

It is entitled "State Dog Needed Surely Not a 'Must,'" and I quote:

"In any legislative body, such as Congress or the General Assembly of Pennsylvania, the Senate is known as the upper chamber. Down through the years it has become firmly implanted in the public mind that the average of intelligence is much higher in the Senate than it is in the House or lower chamber."

And continuing:

"Every member of the House at Harrisburg is ambitious to become a Senator.

This is not to say that the House, with its more

than 200 members, is devoid of intelligence. Indeed, a close search unquestionably would come up with members whose intelligence quotient would equal that of some Senators. But taking the 50-Member Senate as a whole and comparing it with the whole membership of the House, the intellectual balance would dip sharply on the side of the upper or more select chamber.

Because of this difference there is every likelihood the Senate in the exercise of its wisdom will give short shrift to the dog patch legislation recently passed by the House.

Then the article goes on to discuss the Great Dane official state dog bill.

Continuing:

To prove there are in the House some, but not many, men of intelligence you need only to take a gander at the words of wisdom uttered by Representative Auker of Blair County. The dog business in the House was denounced by this sensible lawmaker as "ridiculous and asinine."

Then our commentator goes on to say:

Why should Pennsylvania have an official state dog? And if we are to have an official pooch why shouldn't the House in which the nonsense originated be called the Dog House?

But then to show the lack of logic and the inconsistency which is unfortunately typical of some members of the journalistic profession later on in the article, our reporter friend says and I quote: "Until our own dog died of old age some months ago, we strongly favored the English Setter for the official title. With her demise we lost interest."

Now I would like to comment briefly on some of the more glaring sentences in this article.

In the first place, the gentleman says that our level of intelligence is much lower than that of the Senate. I think this is a ridiculous statement which libels every Member of this House with the possible exception of one. I do not think it has any place in any serious publication appearing in this Commonwealth concerning the Representatives of the people. "Every Member of the House at Harrisburg is ambitious to become a Senator." Now he did not say almost every Member, he said every Member. I think it must be said at this time that there are not just some Members who have no ambition to become Members of the other chamber, I think it is a fair statement that a substantial majority of the Members of this House, if they had their choice, would prefer to remain here rather than go over there.

Then the gentleman goes on to say that the Senate, because of its superior wisdom, will undoubtedly give short shrift to this piece of legislation. Forgetting about the merits of this legislation, an identical bill in 1957, in an identical Senate originated over there. It was Senate Bill 135, and on April 23, 1957, the Senate in its wisdom, superior wisdom, passed this bill by a vote of 27 to 17 and sent the Great Dane to be the official state dog Senate Bill 135 over to the House, where it met an ultimate fate by being defeated on final passage on June 18, 1957, by a vote of 81 to 87.

Those Members of the Senate then are almost with one exception the same members of that illustrious body today. Perhaps since they are two years older they have

gained in that wisdom that was discussed in the article I have commented upon freely.

However, I do not wish to state that the Members of this House on an average have a superior intellect to those of the Senate, but I do think there is no real question that our intellect on the average is the equal of the average intellect in the other Chamber.

I might point out for the benefit, not necessarily of the reporters present, but all reporters, because those present are our friends, they have a job to do, and by and large they do it very well. However, I might remind them that they are not perfect either. I might also remind them that the Members of this House represent all the people, even the stupid people, even reporters.

Now that the intelligence level of the Members of this House has been discussed in public print, I think it is only fair and proper that in this forum the general intelligence level of reporters might also be discussed. I think we have all had the experience of attending sessions of this House or other public affairs and having had the opportunity of reading the same discussed in public print the next day. As I said, I have a lot of respect and a certain friendship for many members of the journalistic profession. However, there have been times when I have read with amazement reports in the public Press of things that transpired the day before in my presence and that of Members of the House and the Speaker and members of the Press, and any similarity between the two was purely coincidental, so there must be something to be said about the general level of intelligence of reporters, or at least some reporters.

Let us examine the general level of intelligence of publishers. It seems to me that there is only one qualification required to be a publisher and that is to have enough money to buy a newspaper. What qualifications in matters of intelligence are there for those who are employed on the editorial staffs of newspapers? You know there is one thing to be said for this article—it has a reporter's name on it. How many times have we been victimized by editorials written by journalistic cowards who hid behind the editorial masthead? How many times? I would like to see, and I think this Legislative Session might give, or the next Legislature, might give some consideration—this would not be tampering with the freedom of the Press. We could not do anything to disturb that sacred relationship between editors and publishers, and do something about requiring editorials to carry the name or names of those who are responsible for foisting those words on an innocent public. The Joint State Government Commission might also consider the possibility of licensing reporters and journalists. After all, Mr. Speaker, this state, through this House, this Legislature, in its wisdom in times past has seen fit to license barbers, nurses, real estate salesmen and brokers, insurance personnel, beauty shop operators, all of whom have some slight impact upon the daily lives of the people we represent. Do not also reporters and journalists have more than slight impact upon the minds of the people we represent? I do not say this in all seriousness, but I do say that the Joint State Government Commission could profitably spend some time between this Session and the next by examining the possibility of a journalists' division in Department of Public Instruction.

A lot of what I have said, of course, has been in good clean fun, but a lot of it is in dead earnest also. I think I speak for every Member of this House when I say to the members of the journalistic profession, all we want is a fair and accurate portrayal of what we do. We expect not always to get the best of it in the public Press. We know better. I know better than to be making the remarks I am making right now, because it takes more guts than common sense to do it. I do not have a newspaper to fight back, but all we want is an accurate portrayal of what we do. If by our own fault, our own inadequacy, our own inferior intelligence, we place ourselves in a position to be ridiculed in the public Press, then all well and good, but to the reporters present and the Members of this House, I say there was no excuse for that article that appeared in the Philadelphia Inquirer on Tuesday.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman rise?

Mr. FINEMAN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, I want to compliment the gentleman from Allegheny, Mr. Agnew. If there was any question at any time about the balance of intellect between his and the Members of the Senate, it became manifest immediately when he was through speaking that his intellect is far superior, perhaps, or at least certainly equal to the Members of that other august Chamber.

I, too, read that article, and I do not mind stating that a slow burn set in when I was reading it. I think it is a darned shame that the Members of this House should be subjected to this kind of asinine, stupid editorialism.

The gentleman who authored this article stated as a general proposition that the intellect of the Members of the House is inferior to the intellect of the Members of the Senate. I would like to ask the author of that article what is it about that august Chamber, what is it about putting your foot into that Chamber, that suddenly makes you possessed of greater intellect? Certainly it is not a matter of its being inherent, according to the author of the article, that they have more intellect because many Members of the Senate formerly were Members of the House. When did they get this superior intellect? The moment they put their foot into that other door?

This incidence points up the stupidity of the argument, and I think it is a shame that the members of the Press have painted the House to be a place, a Valhalla, for the senseless, for those who cannot get gainful occupation or employment elsewhere, and are just a lot of hacks and drones.

There are too many of us in here who work too diligently, sincerely and with intelligence in the interests of the people of this Commonwealth to be subjected to this kind of ridicule, and it is time, indeed, that we started to get a fair shake from our reporters.

The SPEAKER. The Chair can only remark that what has been said has been completely enjoyable, and as completely out of order as it was enjoyable.

BILLS CALLED OUT OF ORDER

Mr. McCANN. Mr. Speaker, I request permission of this House to call up bills out of order that must be considered today and sent to the Senate for concurrence and so forth, to go to the Governor's desk.

The SPEAKER. Will the House give its consent to calling bills out of order?

The Chair hears no objection and consent is granted.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Agnew,	Flynn,	Lippincott,	Reidenbach,
Anderson,	Foerster,	Lopresti,	Renwick,
Arlene,	Fox,	Luigard,	Riley,
Ashton,	Frank,	Lutty,	Rovansek,
Auker,	Frascella,	Machmer,	Sakulsky,
Balthaser,	Fulmer,	Magee,	Scarcelli,
Barton,	Galley,	Mahan,	Schaaf,
Bell,	Gallagher,	Markley,	Schuster,
Blair,	Garlock,	Maxwell,	Schwartz,
Boles,	Gelfand,	McCandless,	Seltzer,
Bonner,	Gibb,	McCann,	Sherman,
Boris,	Gramlich,	McLaughlin,	Shupnik,
Bower,	Goodrich,	McInroy,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Hocker,	Miller, H. G.,	Steckel,
Breth,	Holliday,	Miller, B. Z.,	Stewart,
Buchanan,	Horst,	Muldowney,	Stimmel,
Burns,	Henzel,	Mullen,	Stone,
Capano,	Holt,	Munley,	Stoner,
Capitolo,	Irvis,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Ujobal,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varner,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dengler,	Kee,	O'Donnell, J. A.,	Wargo,
Dennison,	Keiser,	O'Donnell, J. P.	Weidner,
Devlin,	Kernaghan,	Odorisio,	Welsh,
Donahue,	Kessler,	Ogilvie,	Wescott,
Dougherty,	Knecht,	O'Neil,	Whittaker,
Down,	Koeker,	Parlante,	Willard,
Edwards,	Kornick,	Pashley,	Willardt,
Ellberg,	Korns,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Wood,
Eshleman,	Kubitsky,	Polaski,	Worley,
Ewing,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, A. M.,	Price,	Yetter,
Fetterolf,	Lee, K. B.,	Pursley,	Zimmerman,
Filo,	Leonard,	Reibman,	
Fineman,	Limper,		
Floyd,			

NAYS—0

NOT VOTING—32

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	Light,	Murray, P. G.,	Stroup,
Donaldson,	McCormack,	Perry, P. E.,	Thompson,
George,	McDonald,	Rigby,	Trusio,
Goldstein,	McKeever,	Royer,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Snare,	Wilt,
Helm,	Monroe,	Stevens,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SWOYERVILLE HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the Senior Class of the Swoyerville High School of Luzerne County. Members of the class are the guests of the gentleman from Luzerne, Mr. Shupnik.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Floyd,	Limper,	Reibman,
Anderson,	Flynn,	Lippincott,	Reidenbach,
Ashton,	Foerster,	Lopresti,	Renwick,
Auker,	Fox,	Luigard,	Sakulsky,
Balthaser,	Frascella,	Lutty,	Scarcelli,
Barton,	Fulmer,	McCandless,	Schuster,
Bell,	Gallagher,	McCann,	Schwartz,
Blair,	Gibb,	McInroy,	Seltzer,
Boles,	Goodrich,	McLaughlin,	Shupnik,
Bonner,	Gramlich,	Machmer,	Silverman,
Boris,	Guthrie,	Magee,	Snider,
Bower,	Hamilton,	Mahan,	Stank,
Bowman,	Henzel,	Markley,	Steckel,
Brenninger,	Hocker,	Maxwell,	Stewart,
Breth,	Holliday,	Meholchick,	Stimmel,
Buchanan,	Holt,	Merry,	Stone,
Burns,	Isaacs,	Miller, B. Z.,	Stoner,
Capano,	Jenkins,	Miller, H. G.,	Tompkins,
Capitolo,	Jim,	Muldowney,	Ujobal,
Cioffi,	Johnson, R.,	Munley,	Varallo,
Clarke,	Jones, F. R.,	Murphy, A. J., Jr.	Varner,
Comer,	Jones, T. H. W.,	Murphy, P. J.,	Verona,
Curwood,	Jump,	Murray, H. P.,	Wall,
Davis,	Kamyk,	Murray, J. J.,	Walsh,
Dengler,	Kee,	Musto,	Wargo,
Dennis,	Keiser,	Naugle,	Weidner,

Dennison, Devlin, Donahue, Dougherty, Down, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman,	Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard,	Needham, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, O'Neill, Petrosky, Polaski, Polen, Prendergast, Price, Pursley,	Welsh, Wescott, Whittaker, Williams, A.D., Jr., Willard, Willaredt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—25

Arlene, Branca, Cianfrani, Crossin, Edwards, Farabaugh, Frank,	Galley, Garlock, Gelfand, Horst, Irviss, Mullen,	Nelson, O'Donnell, J. P., Parlante, Pashley, Perry, H. H., Riley,	Rovanssek, Schaaf, Sherman, Sullivan, Taylor, Worley,
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NOT VOTING—31

Brown, Cooper, Donaldson, George, Goldstein, Heavey, Heffner, Helm,	Johnson, A. W., Light, McCormack, McDonald, McKeever, Mihm, Mills, Monroe,	Moran, Murray, P. G., Perry, P. E., Rigby, Royer, Rudisill, Snare, Stevens,	Strausser, Stroup, Thompson, Trusio, Wheeler, Williams, E. S., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 1213 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concur) that House Bill No. 1213, Printer's No. 1075, entitled "An act amending the act of June 12, 1951 (P. L. 553) entitled 'An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the law relating thereto' changing requirements for admission or detention of certain patients further regulating the payment of costs for the care of such patients and limiting liability for such payment," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 1897 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concur) that House Bill No. 1897, Printer's No. 1657, entitled "An act amending the act of May 1, 1929 (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' further regulating de-

posits and disbursements of funds by brokers," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 1968 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 19, 1959.

Resolved (if the Senate concur), that House Bill No. 1968, Printer's No. 1613, entitled "An act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2414, entitled:

An Act amending "The Third Class City Code" approved JJune 23, 1931 (P. L. 932) providing for payment to posts of the Italian-American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback,	Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko,	Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Petrosky,	Reidenbach, Renwick, Riley, Rovanssek, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Tompkins, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A.D., Jr., Willard, Willaredt, Wood,
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Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper,	Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—31

Brown, Cooper, Donaldson, George, Goldstein, Heavy, Heffner, Helm,	Johnson, A. W., Light, McCormack, McDonald, McKeever, Mihm, Mills, Monroe,	Moran, Murray, P. G., Perry, P. E., Rigby, Royer, Rudisill, Snare, Stevens,	Strausser, Stroup, Thompson, Trusio, Wheeler, Williams, E. S., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law" approved May 28, 1937 (P. L. 955) providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comar, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman,	Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Henzel, Hocker, Holliday, Holt, Horst, Isaacs, Irvie, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko,	Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Perry, H. H., Petrosky, Polaski,	Renwick, Riley, Rovanseck, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Sullivan, Taylor, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Willard, Willaredt, Wood, Worley, Wynd,
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Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper,	Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—3

Bell,	Pashley,	Tompkins,
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NOT VOTING—31

Brown, Cooper, Donaldson, George, Goldstein, Heavy, Heffner, Helm,	Johnson, A. W., Light, McCormack, McDonald, McKeever, Mihm, Mills, Monroe,	Moran, Murray, P. G., Perry, P. E., Rigby, Royer, Rudisill, Snare, Stevens,	Strausser, Stroup, Thompson, Trusio, Wheeler, Williams, E. S., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate Bill 749, Printer's No. 1552, yesterday was amended by the gentleman from Monroe, Mr. Yetter. The amendments tacked to the bill pertained to authorizing the Secretary of Revenue to extend the time for registration and obtaining of operators' licenses. Under this amendment the Secretary may, with the approval of the Governor, extend the time for not more than 30 days for any registration required by this section in any case.

To try to clarify the situation, the operators' licenses in the Commonwealth of Pennsylvania at the present time, under the law, expire at midnight on January 31. There are five million operators' licenses and they are all in the Department of Revenue, ready. They, of course, are printed and available on the basis of the present figure of one dollar. Upon the enactment of House Bill 1592, which is a bill dealing with concurrence in Senate amendments which would change the license fee of the operators license, all of these five million applications would have to be changed and stamped. It is our intention to act on 1592 on November 9 or 10, and under that situation the Department of Revenue would need this extended period of time for the handling of the operators' licenses, and they would be granted, by the approval of the Governor, the 30 days.

Under normal procedure, Mr. Speaker, the Department of Revenue would now be processing and placing in envelopes these applications, and have ready at the present time the first one million. So work has been stopped on all of the operators' license applications at this point, for all of the five million must be restamped through automatic stamping machines to reflect the amount which the

bill shows at the time it is signed by the Governor. For that reason, Mr. Speaker, along with the purpose of the bill as it originally came over, Senate Bill 749, I ask that everyone support Senate Bill 749, to pass it. It is part of a package dealing with the mobile home industry in the Commonwealth of Pennsylvania.

Mr. Speaker, the bill itself, Senate Bill 749, without the amendments is part of a package of four bills, and with the passage of this bill, we should like to take all of the other Senate bills dealing with this package in order.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Agnew,	Floyd,	Lopresti,	Renwick,
Anderson,	Flynn,	Luigard,	Riley,
Arlene,	Foerster,	Lutty,	Rovansek,
Auker,	Fox,	McCandless,	Sakulsky,
Balthaser,	Frank,	McCann,	Scarcelli,
Barton,	Frascella,	McInroy,	Schaaf,
Bell,	Fulmer,	McLaughlin,	Schuster,
Blair,	Gailey,	Machmer,	Schwartz,
Boles,	Gallagher,	Magee,	Seltzer,
Bonner,	Garlock,	Mahan,	Sherman,
Boris,	Gelfand,	Markley,	Shupnik,
Bower,	Gibb,	Maxwell,	Silverman,
Bowman,	Goodrich,	Meholchick,	Snider,
Branca,	Gramlich,	Merry,	Stank,
Brenninger,	Guthrie,	Miller, B. Z.,	Steckel,
Breth,	Hamilton,	Miller, H. G.,	Stewart,
Buchanan,	Henzel,	Muldowney,	Stimmel,
Burns,	Holliday,	Mullen,	Stone,
Capano,	Holt,	Munley,	Stoner,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varnier,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	Wall,
Dengler,	Kamyk,	O'Dell,	Walsh,
Dennis,	Kee,	O'Donnell, J. A.,	Wargo,
Dennison,	Kelser,	O'Donnell, J. P.,	Weidner,
Devlin,	Kernaghan,	Odorisio,	Welsh,
Donahue,	Kessler,	O'Neill,	Wescott,
Dougherty,	Knecht,	Parlante,	Whittaker,
Down,	Kooker,	Pashley,	Williams, A. D., Jr.,
Edwards,	Kornick,	Perry, H. H.,	Willard,
Elberg,	Korns,	Petrosky,	Willaredt,
Eshback,	Kovolenko,	Polaski,	Wood,
Eshleman,	Kubitsky,	Polen,	Worley,
Ewing,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, K. B.,	Price,	Yatron,
Fetterolf,	Leonard,	Pursley,	Yetter,
Filo,	Limper,	Reibman,	Zimmerman,
Fineman,	Lippincott,	Reidenbach,	Andrews,

Speaker

NAYS—5

Ashton,	Isaacs,	Lee, A. M.,	Ogilvie,
Hocker,			

NOT VOTING—31

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	Light,	Murray, P. G.,	Stroup,
Donaldson,	McCormack,	Perry, P. E.,	Thompson,
George,	McDonald,	Rigby,	Trusio,
Goldstein,	McKeever,	Royer,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Snare,	Wilt,
Helm,	Monroe,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and "Office Trailer" and including certain persons buying selling exchanging assembling financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Agnew,	Flynn,	Lippincott,	Reidenbach,
Anderson,	Foerster,	Lopresti,	Renwick,
Arlene,	Fox,	Luigard,	Riley,
Ashton,	Frank,	Lutty,	Rovansek,
Auker,	Frascella,	McCandless,	Sakulsky,
Balthaser,	Fulmer,	McCann,	Scarcelli,
Barton,	Gailey,	McInroy,	Schaaf,
Bell,	Gallagher,	McLaughlin,	Schuster,
Blair,	Garlock,	Machmer,	Schwartz,
Boles,	Gelfand,	Magee,	Seltzer,
Bonner,	Gibb,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvia,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varnier,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	Wall,
Dengler,	Kamyk,	O'Dell,	Walsh,
Dennis,	Kee,	O'Donnell, J. A.,	Wargo,
Dennison,	Kelser,	O'Donnell, J. P.,	Weidner,
Devlin,	Kernaghan,	Odorisio,	Welsh,
Donahue,	Kessler,	Ogilvie,	Wescott,
Dougherty,	Knecht,	O'Neill,	Whittaker,
Down,	Kooker,	Parlante,	Williams, A. D., Jr.,
Edwards,	Kornick,	Pashley,	Willard,
Elberg,	Korns,	Perry, H. H.,	Willaredt,
Eshback,	Kovolenko,	Petrosky,	Wood,
Eshleman,	Kubitsky,	Polaski,	Worley,
Ewing,	Lamb,	Polen,	Wynd,
Farabaugh,	Lee, A. M.,	Prendergast,	Yatron,
Fetterolf,	Lee, K. B.,	Price,	Yetter,
Filo,	Leonard,	Pursley,	Zimmerman,
Fineman,	Limper,	Reibman,	Andrews,
Floyd,			Speaker

NAYS—0

NOT VOTING—31

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	Light,	Murray, P. G.,	Stroup,
Donaldson,	McCormack,	Perry, P. E.,	Thompson,
George,	McDonald,	Rigby,	Trusio,
Goldstein,	McKeever,	Royer,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Snare,	Wilt,
Helm,	Monroe,	Stevens,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobile homes and office trailers from jobbers and dealers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, I rise in opposition to this bill, and I want to clarify my opposition by saying this:

I am not an attorney, but in my opinion this is class legislation.

We have a law in this state that says anything over-width and over-length shall apply for a special permit to move it, and in obtaining that permit they pay two cents per ton mile. I had a conference with a Member of the State Police yesterday, and he said that when that was written in the act it was written in for the sole purpose of police work in moving these oversized vehicles.

This will remove that from one, and only one, part of these oversized vehicles, which will be mobile homes, or house trailers, as they are called.

In my opinion this is class legislation. I have always been told that when you pass a law you pass it for everyone, but this would remove them from that obligation.

Therefore, Mr. Speaker, I am going to vote no on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Agnew,	Floyd,	Luigard,	Sakulsky,
Anderson,	Flynn,	Lutty,	Scarcelli,
Arlene,	Foerster,	McCann,	Schaaf,
Balthaser,	Frank,	McCormack,	Schuster,
Barton,	Frascella,	McInroy,	Schwartz,
Bell,	Fulmer,	McLaughlin,	Seltzer,
Blair,	Galley,	Machmer,	Sherman,
Boles,	Gallagher,	Magee,	Shupnik,
Bonner,	Garlock,	Markley,	Silverman,
Boris,	Gelfand,	Maxwell,	Snider,
Bower,	Gibb,	Meholchick,	Stank,
Branca,	Goodrich,	Merry,	Steckel,
Brenninger,	Guthrie,	Muldowney,	Stimmel,
Breth,	Hamilton,	Mullen,	Stone,
Buchanan,	Henzel,	Munley,	Stoner,
Burns,	Holt,	Murphy, A. J., Jr.	Sullivan,
Capano,	Horst,	Murray, H. P.,	Taylor,
Capitolo,	Irvls,	Murray, J. J.,	Tompkins,
Cianfrani,	Isaacs,	Musto,	Trusio,
Cioffi,	Jenkins,	Naugle,	Ujobal,
Clarke,	Jim,	Needham,	Varallo,
Comer,	Johnson, R.,	Nelson,	Varnier,
Crossin,	Jones, F. R.,	O'Dell,	Verona,
Curwood,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Davis,	Jump,	O'Donnell, J. P.,	Walsh,
Dengler,	Ramyk,	Odorisio,	Wargo,
Dennis,	Kee,	O'Neill,	Weidner,
Dennison,	Kernaghan,	Parlante,	Welsh,
Devlin,	Kessler,	Pashley,	Wescott,

Donahue,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,

Knecht,
Kooker,
Kornick,
Korna,
Kovolenko,
Kubitsky,
Lamb,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Lopresti,

Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Riley,
Rovanse,

Whittaker,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—17

Ashton,
Auker,
Bowman,
Fox,
Gramlich,

Hocker,
Holliday,
Kelser,
Lee, A. M.,

McCandless,
Mahan,
Miller, B. Z.,
Miller, H. G.,

Murphy, P. J.,
Ogilvie,
Stewart,
Williams, A. D., Jr.,

NOT VOTING—29

Brown,
Cooper,
Donaldson,
George,
Goldstein,
Heavey,
Heffner,
Helm,

Johnson, A. W.,
Light,
McDonald,
McKeever,
Mihm,
Mills,
Monroe,

Moran,
Murray, P. G.,
Perry, P. E.,
Rigby,
Royer,
Rudisill,
Snare,

Stevens,
Strausser,
Stroup,
Thompson,
Wheeler,
Williams, E. S.,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for mobile homes house trailers and office trailers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,
Anderson,
Arlene,
Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Boles,
Bonner,
Boris,
Bower,
Branca,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,

Flynn,
Foerster,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
Gibb,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irvls,
Isaacs,
Jenkins,
Jim,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Jump,

Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McInroy,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Miller, B. Z.,
Miller, H. G.,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,

Renwick,
Riley,
Rovanse,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Tompkins,
Trusio,
Ujobal,
Varallo,
Varnier,
Verona,
Wall,

Dengler,	Kamyk,	O'Dell,	Walsh,
Dennis,	Kee,	O'Donnell, J. A.,	Wargo,
Dennison,	Kelser,	O'Donnell, J. P.,	Weidner,
Devlin,	Kernaghan,	Odoriso,	Welsh,
Donahue,	Kessler,	Ogilvie,	Wescott,
Dougherty,	Knecht,	O'Neill,	Whittaker,
Down,	Kooker,	Parlante,	Williams, A.D., Jr.,
Edwards,	Kornick,	Fashley,	Willard,
Ellberg,	Korns,	Perry, H. H.,	Willaredt,
Eshback,	Kovolenko,	Petrosky,	Wood,
Eshleman,	Kubitsky,	Polaski,	Worley,
Ewing,	Lamb,	Polen,	Wynd,
Farabaugh,	Lee, A. M.,	Prendergast,	Yatron,
Fetterolf,	Lee, K. B.,	Price,	Yetter,
Filo,	Leonard,	Pursley,	Zimmerman,
Fineman,	Limper,	Reibman,	Andrews,
Floyd,	Lippincott,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—29

Brown,	Johnson, A. W.,	Moran,	Stevens,
Cooper,	Light,	Murray, P. G.,	Strausser,
Donaldson,	McDonald,	Perry, P. E.,	Stroup,
George,	McKeever,	Rigby,	Thompson,
Goldstein,	Mihm,	Royer,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Snare,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Flynn,	Lopresti,	Riley,
Anderson,	Foerster,	Lugard,	Rovansek,
Arlene,	Fox,	Lutty,	Sakulsky,
Ashton,	Frank,	McCandless,	Scarcelli,
Auker,	Frascella,	McCann,	Schaaf,
Balthaser,	Fulmer,	McInroy,	Schuster,
Barton,	Galley,	McLaughlin,	Schwartz,
Bell,	Gallagher,	Machmer,	Seltzer,
Blair,	Garlock,	Magee,	Sherman,
Boles,	Gelfand,	Mahan,	Shupnik,
Bonner,	Gibb,	Markley,	Silverman,
Boris,	Goodrich,	Maxwell,	Snider,
Bower,	Gramlich,	Meholchick,	Stank,
Bowman,	Guthrie,	Merry,	Steckel,
Branca,	Hamilton,	Miller, B. Z.,	Stewart,
Brenninger,	Henzel,	Miller, H. G.,	Stimmel,
Breth,	Hocker,	Muldowney,	Stone,
Buchanan,	Holliday,	Mullen,	Stoner,
Burns,	Holt,	Munley,	Sullivan,
Capano,	Horst,	Murphy, A.J., Jr.,	Taylor,
Capitolo,	Irvie,	Murphy, P. J.,	Tompkins,
Cianfrani,	Isaacs,	Murray, H. P.,	Trusio,
Cioffi,	Jenkins,	Murray, J. J.,	Ujobal,
Clarke,	Jim,	Musto,	Varallo,
Comer,	Johnson, R.,	Naugle,	Varnier,
Crossin,	Jones, F. R.,	Needham,	Verona,
Curwood,	Jones, T. H. W.,	Nelson,	Wall,
Davis,	Jump,	O'Dell,	Walsh,
Dengler,	Kamyk,	O'Donnell, J. A.,	Wargo,
Dennis,	Kee,	O'Donnell, J. P.,	Weidner,
Dennison,	Kelser,	Odoriso,	Welsh,

Devlin,	Kernaghan,	Ogilvie,	Wescott,
Donahue,	Kessler,	O'Neill,	Whittaker,
Dougherty,	Knecht,	Parlante,	Williams, A.D., Jr.,
Down,	Kooker,	Pashley,	Willard,
Edwards,	Kornick,	Perry, H. H.,	Willaredt,
Knecht,	Korns,	Petrosky,	Wood,
Eshback,	Kovolenko,	Polaski,	Worley,
Eshleman,	Kubitsky,	Polen,	Wynd,
Ewing,	Lamb,	Prendergast,	Yatron,
Farabaugh,	Lee, A. M.,	Price,	Yetter,
Fetterolf,	Lee, K. B.,	Pursley,	Zimmerman,
Filo,	Leonard,	Reibman,	Andrews,
Fineman,	Limper,	Reidenbach,	Speaker
Floyd,	Lippincott,	Renwick,	

NAYS—0

NOT VOTING—29

Brown,	Johnson, A. W.,	Moran,	Stevens,
Cooper,	Light,	Murray, P. G.,	Strausser,
Donaldson,	McCormack,	Perry, P. E.,	Stroup,
George,	McDonald,	Rigby,	Thompson,
Goldstein,	McKeever,	Royer,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Snare,	Wilt,
Helm,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2386, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. Speaker, would the Majority Leader consent to be interrogated?

Mr. McCANN. Mr. Speaker, if it is on House Bill 2386, I would be most pleased to yield momentarily to the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, would the gentleman from Washington, Mr. Polen, tell the House what is the composition of the General State Authority?

Mr. POLEN. Mr. Speaker, does the gentleman refer to the membership?

Mr. BELL. How is the membership of this Authority selected or appointed?

Mr. POLEN. I believe I will let Mr. McCann answer that because he is a member of the Authority and he knows exactly what its composition is.

Mr. McCANN. Mr. Speaker, by law, the members of the General State Authority are as follows: the Governor or the Commonwealth, the Treasurer of the Commonwealth, the Auditor General of the Commonwealth, the Secretary of Internal Affairs, the President pro tempore of the Senate, and an appointment of the President pro tempore of the Senate, the Minority Leader of the Senate, the

Speaker of the House of Representatives, and appointment of the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and one appointment of the Governor.

That constitutes the entire Board of the General State Authority by law.

Mr. BELL. Thank you.

Mr. Speaker, is the Pennsylvania Manual correct where it describes the General State Authority and states: This Authority as well as all other authorities are not departments of the Commonwealth but are separate and independent corporations created by acts of Legislature?"

Mr. McCANN. Mr. Speaker, that is correct and, in addition to that, I believe there was some type of a court decision or there was an attorney general's opinion bearing upon the possibility of a certain member at one time being appointed to a vacancy in such a position I beg your pardon, that dealt with the Turnpike.

That is correct, it is a corporation as it exists.

Mr. BELL. Thank you, Mr. Speaker.

I rise to oppose this bill because of the manner in which it is written. I do not necessarily rise to oppose what it attempts to do, but we have a bill which will raise the spending authority, or borrowing authority of this non-governmental corporation from \$480 million to \$626,-200,000.

In other words, this bill is going to raise the non-governmental—I imagine you call it that—debt of the Commonwealth by \$146,200,000. Whether the General State Authority debt is a debt of the Commonwealth or not, we know very well that it will increase future taxes of the Commonwealth that will pay the General State Authority's debt charges and pay off this debt.

Now the reason I object to this bill is when I opened it I found that except for the colleges and universities the expenditures were by department. Then under the department would be maybe thirty or forty different projects. But at no place is found opposite the project how much money is to be spent on that project. True, there are figures in parentheses which indicate priorities for these projects.

I say to you, ladies and gentlemen of this House of Representatives, that where a project carries priority 1, that priority could be meant if \$100 was spent on it. So we are turning over to a non-governmental corporation the power to spend \$146 million and I say this is wrong. I would say we should tell them how it should be spent. We are delegating to an authority the power to determine how public monies will be spent. This is our responsibility. It is the responsibility of the Members of this House to tell the Authority how this money shall be spent, and I am not concerned whether this is the way it was done in the days past because if it is bad today, it was bad then, and it should not have been done then.

We in this House should exercise the responsibilities placed in us by our constituents. This is our responsibility; it is our duty; it is why we were elected. And that, ladies and gentlemen of the House, is why I oppose this bill in its present form and I ask the Members to vote no on this bill.

Mr. McCANN. Mr. Speaker, I listened carefully to the remarks of the gentleman from Delaware, Mr. Bell, regarding his opposition to the bill.

Number one, every Member of this House has in their

possession the 1959-61 capital budget. In that capital budget you will find every item that is in that bill and you will find it line by line and the amount, except there has been added to that bill projects that are not in this capital budget.

One project that we added on our own was the infirmary at Scotland School for veterans' orphans. We added an item that is in this budget but was not in the bill, the William Penn Memorial Museum building, if that is the correct title of the building to be built here at Harrisburg dealing with the Museum, the archives of the building.

We added to the bill an elevator project in a hospital in the city of Philadelphia, Mercy Douglas. We added an item for Slippery Rock State Teachers' College. You will find them in the bill. You will find it is the budget but it was not in the bill and we added it in the bill.

Now then, let us go to the second point raised by Mr. Bell regarding the operation of the General State Authority. In the General State Authority you have a Committee of Priority; all the committees of General State Authority are composed of two Republican members and two Democrat members. No matter what committee you name it is divided equally in appointment.

The Committee on Priority certainly selects the priorities of the projects to be handled in the General State Authority. I am very sorry, I assume that the Speaker could instantly tell this House who the members of the Committee on Priority are in the 1959 organized year of the General State Authority. I am not a member of the Committee on Priority.

Now then, by each of the projects listed in this bill in turning over this legislation you are increasing the borrowing power of the General State Authority to handle these projects or to do these capital projects as outlined. To do all the items carefully defined in the bill that you speak of, then it would almost take again a capital budget sized bill to do it, but you have in your possession a capital budget, and if you will take any department, namely, Forests and Waters, you will find in capital budget all the items listed and the projects and the amounts in the book that is in your possession or that was given to every Member of this House and Senate.

House Bill 2386 takes a lot of computation and a lot of work whenever it is going to be amended. This bill will be amended in the Senate in which two or three or possibly four Senators intend to add projects to the bill which could not be added in the House at this time. Mr. Polen informs me there are two for such, and possibly three; the Senator from the Indiana area, Senator Harney's area, and one other Senator, which will add amendments to this bill.

I think that this bill dealing with the General State Authority borrowing power has been handled in the past and I think the General State Authority is as composed by the law; if there is something wrong with it, then the basic law needs to be changed dealing with its composition or its operation. I think you will admit that as a statewide authority the capital improvement that they have handled—for example, they have built all the buildings that you see here at the Capitol, the Health and Welfare Building, the Labor and Industry Building, the numerous buildings at Pennsylvania State University, Penn State, all of our various schools and all of the

various flood projects that have been enacted in the past and the new ones that are listed in this budget.

Mr. Speaker, I think this is Pennsylvania's answer to a program in which capital improvements are badly needed and we agree the cost is spread over the years and the improvements must be made. In fact, there are many others who have requested and badly need the projects in some of the other areas, but you cannot do them all at once. You try to work this program out the same as it has been worked out in the past. I ask that all the Members of this House support this bill increasing the borrowing power of the General State Authority.

Mr. HOCKER. Mr. Speaker, I would yield to the gentleman, Mr. Bell. I think he prefers to answer the gentleman, Mr. McCann, so I will yield to him for that purpose.

The SPEAKER. The gentleman from Dauphin yields to the gentleman from Delaware.

Mr. BELL. Mr. Speaker, I would like to ask one additional question of the Majority Leader, Mr. McCann.

The SPEAKER. Will the Majority Leader permit himself to be further interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, is it not correct that although these items could have a price tag in the printed budget that when the General State Authority spent the money they would follow this law which presently is House Bill 2386 and would not necessarily be legally bound by what is in the budget?

Mr. McCANN. Mr. Speaker, I think the question he is putting to me is this: 2386 is a bill dealing with lump sum amounts for various departments but they tie back to the capital budget, and then you are asking me to answer whether, for example, the Committee on Priorities will say that the project—whatever the project may be—is listed now for—we will just use this as a typical example—we will say that the William Penn Museum Building is \$11 million. That is an estimated figure of architect engineers, and what you are asking me is, suppose that building were to come to \$12 million or \$13 million? It does not work the way you think it works in that scope. For example, they allocate the money to the project and when they go into the field, suppose the bids were over the amount, then the project can be knocked down, and it has happened in the past. Or, money must be made available from money returned to go over the amount that is listed as the amount for the project. There is no deceptive intent, and none that I know of from the prior members who have talked to me, of many years' experience. Charlie Smith served on the Board for a number of years; the Speaker, Mr. Andrews; the Senator, Mr. Taylor. They always try to hold within the figure of the project and they do not try to shift from one to the other, which is what you are asking me if they do.

Mr. BELL. Thank you, Mr. Speaker, I would like to briefly answer the Majority Leader.

First, there is no attempt in this opposition to infer any wrongdoing or deception of any kind on the part of any Member of the Joint State Government Authority, heretofore or even hereafter.

Secondly, with archaic, limited borrowing capacity of the Commonwealth under the present Constitution, which law allows us to borrow up to \$1 million, this is the only way that we can build the necessary hospitals and permanent items that are necessary for the Commonwealth

to progress. I thoroughly agree with the Majority Leader on that.

Neither am I finding fault with the items which are in the budget, but I am finding fault with the way this bill is written because legally the budget does not bind the General State Authority in this bill, and I think that we, as Legislators, should stand up to our responsibilities. I think it does not take too much work to have the budget printed on a line basis. It would not be too much work to have this bill printed on a line basis, so that we know what we are voting on.

For that reason I am going to vote no on this bill.

Mr. HOCKER. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, I ask the gentleman, what is the figure in the General Appropriation Bill to take care of rentals and interest for the General State Authority?

Mr. POLEN. I think it is \$42.15 million.

Mr. HOCKER. I ask the gentleman if we increase this to \$146 million, what would be his estimation of the cost?

Mr. POLEN. Mr. Speaker, the amount in the budget would take care of the rentals on any of these that are being constructed and the rentals payable during this biennium. It is provided for in the present budget.

Mr. SPEAKER. I would ask the gentleman one more question. Is it true that under the General State Authority building program we built some buildings and schools or colleges, universities that do not belong to us as such, and that we pay the rent on them for a period of 20 or 25 years and then turn the buildings over to them?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. HOCKER. I thank the gentleman.

Mr. Speaker, in my opinion, this is the wrong way to operate a state government. I happen to be here. I was not here when I think this "monster," as I term it, was destroyed. I think it was destroyed under the administration of Governor Martin. However, I was here when we raised the money to pay off their indebtedness and at that time it was the opinion of the bodies on this Hill, the other Chamber and this one, that we were getting rid of something that was bad for the Commonwealth of Pennsylvania. Then, in our so-called wisdom, which I do not know whether it is true or not but we call it that, we reactivated this monster. I say to you that as Members of the House and the Senate of this Commonwealth, if our Constitution forbids us to borrow more money, then I say that we as Members of these bodies should have guts enough to stand up and ask the people of this Commonwealth to change that Constitution. We do it in other cases. I say that this is not the right way to do it. The taxpayers of this Commonwealth have no idea what we are doing here; they have no idea how much money is involved in this program; they have no idea that we are furnishing buildings for institutions that do not belong to us, and that never will belong to us. The taxpayers do not realize that they will pay the rent on those buildings for a period of 20 years and then say, now this is yours.

To me that is a lousy way of running a government. We are hiding from the taxpayers what we are doing

here; we are hiding from them the fact that we are sneaking money into places that we have no business to sneak it into. We give those institutions an appropriation to help them in their problems, but I do not think that we should build their buildings for them. I do not think that we are on the right track here and I voted against reactivating the General State Authority. Evidently I was in the minority because here, within the short period of ten years, it has gone from practically nothing to over a half billion dollars. The people that you, each and every one of you, represent do not know what you are doing. I say that if they knew they would rise up and criticize you for it. I say to you Members of the House, let us put something on the ballot and let our people decide whether or not we should go into a borrowing program like this. I say the people should decide whether we are going to help institutions that do not belong to us. That is not our prerogative as Members of this House. Our prerogative is only to represent the people in our district. Many, many times I would vote differently than I do if it were my own thinking, but I have to cock my ears to my constituents and do what they want me to do.

So what I want to say in closing is this, please let us not let this monster go to the place where it is going to eat up the people of this Commonwealth who are paying the bills, and that is not us.

Mr. POLEN. Mr. Speaker, there seems to be some misunderstanding in connection with this bill as to the amount of money which is being appropriated, or authorized, I should have said. We presently, under existing law, have authorized \$480 million, which has been exhausted. This bill increases the borrowing capacity of the General State Authority to \$625.5 million, or an increase of \$145.5 million covered by the various projects in this bill.

For the information of any Members who would like to see it, I have the capital budget with each item shown that is covered by this bill. I believe this is the first time that a capital budget has been presented to the General Assembly and it was exactly the purpose of the capital budget to inform the Members of the General Assembly which items were and would be included in this authorization. I have it on my desk and if any Member would like to see it I will be happy to make it available to him.

Mr. AUKER. Mr. Speaker, there was a question propounded to me that I was unable to answer, so it is not my original thought and I do not want to take credit for anything which I did not originate. I would like to interrogate the gentleman from Washington, Mr. Polen. Maybe he can answer my question.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, under existing law, the ceiling on the General State Authority is \$400 million.

Mr. POLEN. \$480 million.

Mr. AUKER. \$480 million, I beg your pardon. Now can the gentleman tell me, or can anyone, if he cannot, what is the existing indebtedness owed by the state on their bonded indebtedness under the General State Authority? In other words, how much has that \$480 million been reduced; how much does the state now actually owe on their bonded indebtedness under the \$480 million ceiling bill.

Mr. POLEN. Mr. Speaker, it is my understanding that the amount authorized has been issued.

Mr. AUKER. That is not the question, Mr. Speaker. The bonds are being amortized over a period of four years and the General State Authority has been on the books for a period of ten years or more, and a lot of those bonds, possibly some of them, have been completely amortized. At least they have been amortized, some of them possibly, to 75, 80 per cent or more over the period of years. What I want to know is now, how much the state owes right now.

Mr. POLEN. Mr. Speaker, I do not have that information, but I could get it for the gentleman as to the amount of the bonds now outstanding.

Mr. AUKER. Mr. Speaker, I think we ought to know before we can vote intelligently on this bill, how much now the state actually owes. If it is only \$100 million, that could possibly influence some thinking, or \$200 million. Mr. Speaker, I would like to further interrogate the gentleman.

The SPEAKER. First let him answer.

Mr. AUKER. Oh, I did not know he had it available. I am sorry, Mr. Speaker.

Mr. POLEN. Mr. Speaker, I think everyone received today, or they should have, the report of the General State Authority for the year ending May 31, 1959, and the amount of the bonds outstanding at that time would be \$302,278,000.

Mr. AUKER. Do I understand then from the gentleman, Mr. Speaker, that is the full amount on which the state is now paying interest?

Mr. POLEN. That would be correct, Mr. Speaker.

Mr. AUKER. Under the circumstances, and since the ceiling of the General State Authority is \$480 million under existing law, would it or would it not be possible for the state to borrow the additional between \$302 million and the \$480 million without any legislation?

Mr. POLEN. Mr. Speaker, that would not be correct. The authorization is for the bonds that could be issued. It is the same as in connection with the public school building authority. The bonds that are paid off do not reduce the amount so that they will have a borrowing power for the amounts that were paid. The authorization is an original authorization and the payments made on account of the bonds do not give any additional borrowing power when they are paid off. The borrowing power is the amount that is authorized by the General Assembly.

Mr. AUKER. I thank the gentleman, Mr. Speaker.

That enlightens as to what we wanted to know over here and then I might add, and I guess everybody can add, this would make then, if we passed a bill for the full indebtedness of the General State Authority of \$302 plus \$146 million, or \$448 million of actual borrowed money on bonds on which the state is paying interest and not at two or two and one-quarter per cent, or two per cent on which they first began to borrow under the General State Authority, but now possibly at least three and three-fourths to four, and possibly four and one-half and maybe five since the federal government is now paying five per cent on short-term bonds. That is going to very vitally influence the rate of interest on all bonds, particularly municipal bonds and government bonds that are sold from here on in.

I would like in a way to vote for this because it is an

improvement on other bills under the General State Authority, which have been passed. In some measure it is spelled out, but as a bill it is only spelled out by departments. It is not spelled out in the bill project by project, and I am still of the same opinion that I have been heretofore, when this body passes a bill of this immense debt and relinquishes its right, what I feel is its right to say how much money should be spent on each individual project, then I think we are going far afield. It might take a little more trouble to have done that, but I think it could have been done and still could be done for that matter.

We have no say-so whatsoever, and this bill does not provide how much money is going to be spent on each individual project listed under the various categories under this bill. Some of them may be needed in the minds of the departments. On the other hand, the heads of the departments do not have to sit here and scratch their heads and worry and get the headaches of passing the tax bills to pay for these things. We are the ones who have to do that and we are the ones who are responsible to the people of this Commonwealth and to our constituents who elect us as to whether these projects are worthwhile and as to whether they are absolutely necessary. I have no way of determining, I have no research, and apparently the House does not have any method of research for delving into these things before we pass these bills as to just how essential all of these projects are before we vote this money, and I am not willing—again I say I am not willing—as I have been in the past, to vote for an increase in indebtedness of this size without its being spelled out exactly, every item, item by item in the bill, so that before we vote on it we would have the right to determine how vital or how necessary such a project is to the health and welfare and safety of the people of this Commonwealth. Until that is done I will not vote for any increased indebtedness.

Mr. POLEN. Mr. Speaker, the figures which I gave the gentleman as to the total bonded indebtedness outstanding of the General State Authority was as of May 31, 1959, \$302,278,000.

On July 15, 1959, \$9.25 million of those bonds were paid off, leaving at the present time \$293,028,000 bonds outstanding.

Mr. VARNER. Mr. Speaker, during about the last five weekends on Saturdays, I have visited the State Teachers College in Edinboro, the State Teachers College in Slippery Rock, the State Teachers College in Clarion, the State Teachers College in Shippensburg and in my conversation with different people at those State Teachers Colleges one of the crying needs that the authorities at the Teachers Colleges tell me they need is more dormitory space. Now, may I interrogate Mr. Polen or Mr. McCann?

The SPEAKER. Would the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. VARNER. Mr. Speaker, there was legislation moving through to build dormitories that was not under General State Authority but under another form on a rental basis. What is the status of that legislation, on the dormitories at the State Teachers Colleges?

Mr. POLEN. I yield to the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I believe the gentleman has

reference to Senate Bills 436 and 437. Were these the bills that allowed the State Teachers Colleges to increase their rental per week at the rate of \$3 per week per student? Is that the right bill?

Mr. VARNER. I think that is right.

Mr. McCANN. Mr. Speaker, those two bills would establish and they are going to be enacted to establish, I believe they would be allowed to increase the rent per student \$3 per week. With that money, if I remember correctly now, they are going to set up a system of capital reserve to replace equipment and buildings, but this will not give them the complete funds that they need to expand the additional facilities as they expand their schools. For example, say a school has now a thousand students and their plans call for in so many years to be three thousand, they will still need capital budget dormitories. Is that what you are referring to, Mr. Varner?

Mr. VARNER. Well, yes and no. Just keep talking I like to listen.

Mr. McCANN. I cannot answer the total number of requests. I feel confident I would not be wrong in saying that all the State Teachers Colleges and the state-aided universities would be more than pleased to come in here with \$2 or \$300 million worth of projects in one biennium in expanding dormitories, science buildings, necessary buildings that are a part of the educational campus.

We are not talking now of football fields or stadiums, we are talking about bonafide educational buildings, and Mr. Speaker, I believe that the State Teachers Colleges themselves meet within a group—there are fourteen of them. They all meet and establish within themselves a system of those items that are most important that have to be done at each respective school, and from that comes their own priority risk of the schools you are mentioning, Mr. Varner, that is how they come into the project.

In the capital budget are listed projects for schools that you speak of in some cases. Remember all of these are not buildings, sometimes it is sewage, water, parking facilities, heating plants, rewiring electrical systems, classroom buildings. I mean all of these items.

Mr. VARNER. Thank you, Mr. McCANN. I saw the status of Senate Bill 436 and according to the latest history it said the Senate nonconcurred in the House amendments September 21st. Is that in the Conference Committee, in other words? I am not out of order to ask that question, I hope.

Mr. McCANN. No, Mr. Speaker, I do not think you would be out of order but I do not have on my list anything on Senate 436 but I am sure we will. We amended Senate 436 in the House. The amendments dealt with the recommendations of the legal counsel, and I remember the amendments because Mr. Holmes, the chief of the legal counsel of the General State Authority, assisted along with the Attorney General in those amendments and that is correct.

Mr. VARNER. Thank you, Mr. McCANN. While in some cases I naturally disagree with this House Bill 2386, particularly in the case of building a new power plant at the Soldiers and Sailors Home in Erie, I think the whole thing should be torn down and we should build a whole new home, but I think generally we have to move ahead and I must support this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—145

Agnew,	Fox,	Luigard,	Renwick,
Arlene,	Reibman,	Lutty,	Riley,
Balthaser,	Frank,	McCandless,	Rovansek,
Boles,	Frascella,	McCann,	Royer,
Bonner,	Fulmer,	McCormack,	Sakulsky,
Boris,	Galley,	McLaughlin,	Scarcelli,
Branca,	Gallagher,	Machmer,	Schaaf,
Brenninger,	Garlock,	Magee,	Schuster,
Breth,	Gelfand,	Maxwell,	Schwartz,
Buchanan,	Gibb,	Meholchick,	Sherman,
Burns,	Hamilton,	Merry,	Shupnik,
Capano,	Henzel,	Miller, B. Z.,	Snare,
Capitolo,	Horst,	Muldowney,	Snider,
Cianfrani,	Irvls,	Mullen,	Stank,
Cioffi,	Isaacs,	Munley,	Stewart,
Clarke,	Jenkins,	Murphy, A. J., Jr.,	Stone,
Comer,	Jim,	Murphy, P. J.,	Sullivan,
Crossin,	Johnson, R.,	Murray, H. P.,	Taylor,
Curwood,	Jones, F. R.,	Murray, J. J.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Varallo,
Dengler,	Jump,	Naugle,	Varnier,
Dennison,	Kamyk,	Needham,	Verona,
Devlin,	Kee,	Nelson,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Down,	Kessler,	Odorislo,	Williams, A. D., Jr.,
Edwards,	Knecht,	Ogilvie,	Willard,
Ellberg,	Kooker,	O'Neil,	Willaredt,
Eshback,	Kornick,	Parlante,	Wood,
Ewing,	Korns,	Pashley,	Worley,
Farabaugh,	Kovolenko,	Perry, H. H.,	Yatron,
Fetterolf,	Kubitsky,	Petrosky,	Yetter,
Filo,	Lamb,	Polaski,	Zimmerman,
Fineman,	Leonard,	Polen,	Andrews,
Floyd,	Limper,	Prendergast,	
Flynn,	Lippincott,	Price,	Speaker
Foerster,	Lopresti,	Reidenbach,	

NAYS—28

Ashton,	George,	McInroy,	Stimmel,
Auker,	Goodrich,	Mahan,	Stoner,
Barton,	Gramlich,	Markley,	Tompkins,
Bell,	Guthrie,	Miller, H. G.,	Ujobal,
Bower,	Hocker,	Pursley,	Wall,
Bowman,	Holliday,	Seltzer,	Weidner,
Eshleman,	Lee, A. M.,	Steckel,	Whittaker,

NOT VOTING—35

Anderson,	Helm,	Monroe,	Strausser,
Blair,	Holt,	Moran,	Stroup,
Brown,	Johnson, A. W.,	Murray, P. G.,	Thompson,
Cooper,	Lee, K. B.,	O'Dell,	Wescott,
Dennis,	Light,	Perry, P. E.,	Wheeler,
Donaldson,	McDonald,	Rigby,	Williams, E. S.,
Goldstein,	McKeever,	Rudisill,	Wilt,
Heavey,	Mihm,	Silverman,	Wynd,
Heffner,	Mills,	Stevens,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 22 of today's calendar, bills on concurrence in Senate amendments, House Bill No. 2355.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate ibeing introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2355.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" fixing fees to be charged and paid by counties for certified copies of certain military or naval discharges certificates of service or other separation from active duty forms for use in connection with claims for compensation

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

Th SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 3, by inserting after line 19 of Section 1, the following: "Section 2 The provisions of this act shall be retroactive and any recorder of deeds who has heretofore collected and retained a fee or any county treasurer who has heretofore received from the recorder of deeds money paid as a fee for an exemplification of a military or naval discharge or certificate of sevice obtained for the purpose of securing benefits under "Korean Conflict Veteran's Compensation Act" shall return the same to the person who made payment thereof"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Sakulsky,
Ashton,	Frascella,	McCandless,	Scarcelli,
Auker,	Fulmer,	McCann,	Schaaf,
Balthaser,	Galley,	McInroy,	Schuster,
Barton,	Gallagher,	McLaughlin,	Schwartz,
Bell,	Garlock,	Machmer,	Seltzer,
Blair,	Gelfand,	Magee,	Sherman,
Boles,	George,	Mahan,	Shupnik,
Bonner,	Gibb,	Markley,	Silverman,
Boris,	Goodrich,	Maxwell,	Snare,
Bower,	Gramlich,	Meholchick,	Snider,
Bowman,	Guthrie,	Merry,	Stank,
Branca,	Hamilton,	Miller, B. Z.,	Steckel,
Brenninger,	Henzel,	Miller, H. G.,	Stewart,
Breth,	Hocker,	Muldowney,	Stimmel,
Buchanan,	Holliday,	Mullen,	Stone,
Burns,	Holt,	Munley,	Stoner,
Capano,	Horst,	Murphy, A. J., Jr.,	Sullivan,
Capitolo,	Irvls,	Murphy, P. J.,	Taylor,
Cianfrani,	Isaacs,	Murray, H. P.,	Tompkins,
Cioffi,	Jenkins,	Murray, J. J.,	Trusio,
Clarke,	Jim,	Musto,	Ujobal,
Comer,	Johnson, R.,	Naugle,	Varallo,
Crossin,	Jones, F. R.,	Needham,	Varnier,
Curwood,	Jones, T. H. W.,	Nelson,	Verona,
Davis,	Jump,	O'Dell,	Wall,
Dengler,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennis,	Kee,	O'Donnell, J. P.,	Wargo,
Dennison,	Kelser,	Odorislo,	Weidner,
Devlin,	Kernaghan,	Ogilvie,	Welsh,
Donahue,	Kessler,	O'Neil,	Wescott,
Dougherty,	Knecht,	Parlante,	Whittaker,
Down,	Kooker,	Pashley,	Williams, A. D., Jr.,
Edwards,	Kornick,	Perry, H. H.,	Willard,
Ellberg,	Korns,	Petrosky,	Willaredt,
Eshback,	Kovolenko,	Polaski,	Wood,
Eshleman,	Kubitsky,	Polen,	Worley,
Ewing,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, A. M.,	Price,	Yatron,
Fetterolf,	Lee, K. B.,	Pursley,	Yetter,
Filo,	Leonard,	Reibman,	Zimmerman,
Fineman,	Limper,	Reidenbach,	Andrews,
Floyd,	Lippincott,	Renwick,	Speaker
Flynn,			

NAYS—0

NOT VOTING—26

Brown,	Johnson, A. W.,	Monroe,	Stevens,
Cooper,	Light,	Moran,	Strausser,
Donaldson,	McCormack,	Murray, P. G.,	Stroup,
Goldstein,	McDonald,	Perry, P. E.,	Thompson,
Heavey,	McKeever,	Rigby,	Wheeler,
Heffner,	Mihm,	Royer,	Williams, E. S.,
Helm,	Mills,	Rudisill,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 163.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with schools districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

HOUSE BILL No. 752.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the inclusion of costs of treasurers' bonds and auditing of treasurers' accounts in estimates of costs of educating handicapped children and providing for reimbursements.

HOUSE BILL No. 1646.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing that evidence of mental condition may be submitted by disposition or affidavit of a physician of any city-owned hospital or institution.

HOUSE BILL No. 1648.

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties for the department of Public Welfare.

HOUSE BILL No. 2355.

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside.

Mr. LOPRESTI IN THE CHAIR.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2399, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Agnew,	Floyd,	Lopresti,	Riley,
Anderson,	Flynn,	Luigard,	Rovanssek,
Arlene,	Fox,	McCandless,	Royer,
Ashton,	Frank,	McCann,	Sakulsky,
Auker,	Frascella,	McCormack,	Scarcelli,
Balthaser,	Fulmer,	McInroy,	Schuster,
Barton,	Galley,	McLaughlin,	Schwartz,
Bell,	Gallagher,	Machmer,	Seltzer,
Blair,	Garlock,	Magee,	Shupnik,
Boies,	George,	Mahan,	Silverman,
Bonner,	Gibb,	Markley,	Snare,
Boris,	Goodrich,	Maxwell,	Snider,
Bower,	Gramlich,	Meholchick,	Stank,
Bowman,	Guthrie,	Merry,	Steckel,
Branca,	Hamilton,	Miller, B. Z.,	Stewart,
Brenninger,	Henzel,	Miller, H. G.,	Stimmel,
Breth,	Hocker,	Muldowney,	Stone,
Buchanan,	Holliday,	Mullen,	Stoner,
Burns,	Holt,	Murphy, A. J., Jr.,	Sullivan,
Capano,	Horst,	Murphy, P. J.,	Taylor,
Capitolo,	Irvlis,	Murray, H. P.,	Tompkins,
Cianfrani,	Isaacs,	Murray, J. J.,	Trusio,
Cioffi,	Jenkins,	Musto,	Ujohai,
Clarke,	Jim,	Naugle,	Varallo,
Comer,	Johnson, R.,	Nelson,	Varnier,
Crossin,	Jones, F. R.,	O'Dell,	Verona,
Curwood,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Davis,	Jump,	O'Donnell, J. P.,	Weidner,
Dengler,	Kamyk,	Odorisio,	Welsh,
Dennis,	Kee,	Ogilvie,	Wescott,
Dennison,	Keiser,	O'Neil,	Whittaker,
Devlin,	Kernaghan,	Parlante,	Williams, A. D., Jr.,
Donahue,	Kessler,	Pashley,	Willard,
Dougherty,	Knecht,	Perry, H. H.,	Willaredt,
Down,	Kooker,	Petrosky,	Wood,
Edwards,	Kornick,	Polaski,	Worley,
Ellberg,	Korns,	Polen,	Wynd,
Eshback,	Kovolenko,	Prendergast,	Yatron,
Eshleman,	Kubitsky,	Price,	Yetter,
Ewing,	Lee, A. M.,	Pursley,	Zimmerman,
Farabaugh,	Lee, K. B.,	Reidenbach,	Andrews,
Fetterolf,	Limper,	Renwick,	Speaker
Filo,	Lippincott,		

NAYS—13

Fineman,	Leonard,	Needham,	Sherman,
Foerster,	Lutty,	Reibman,	Walsh,
Gelfand,	Munley,	Schaaf,	Wargo,
Lamb,			

NOT VOTING—26

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	Light,	Murray, P. G.,	Stroup,
Donaldson,	McDonald,	Perry, P. E.,	Thompson,
Goldstein,	McKeever,	Rigby,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Stevens,	Wilt,
Helm,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Agnew,	Flynn,	Luigard,	Riley,
Anderson,	Foerster,	Lutty,	Rovansek,
Arlene,	Fox,	McCandless,	Sakulsky,
Auker,	Frank,	McCann,	Scarcelll,
Balthaser,	Frascella,	McCormack,	Schaaf,
Barton,	Galley,	McInroy,	Schuster,
Bell,	Gallagher,	McLaughlin,	Schwartz,
Blair,	Garlock,	Machmer,	Seltzer,
Boles,	Gelfand,	Magee,	Sherman,
Bonner,	George,	Mahan,	Shupnik,
Boris,	Gibb,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snider,
Branca,	Guthrie,	Meholchick,	Stank,
Brenninger,	Hamilton,	Miller, B. Z.,	Steckel,
Breth,	Henzel,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Sullivan,
Capitolo,	Irvis,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Isaacs,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.,	Trusio,
Clarke,	Jim,	Murray, J. J.,	Varallo,
Comer,	Johnson, R.,	Musto,	Varnier,
Crossin,	Jones, F. R.,	Naugle,	Verona,
Curwood,	Jones, T. H. W.,	Needham,	Wall,
Davis,	Jump,	Nelson,	Walsh,
Dengler,	Kamyk,	O'Dell,	Wargo,
Dennis,	Kee,	O'Donnell, J. A.,	Weidner,
Dennison,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Devlin,	Kessler,	Odoriso,	Wescott,
Donahue,	Knecht,	O'Neil,	Williams, A. D., Jr.,
Dougherty,	Kornick,	Parlante,	Willaredt,
Down,	Kovolenko,	Pashley,	Worley,
Edwards,	Korns,	Perry, H. H.,	Wynd,
Eilberg,	Kubitsky,	Petrosky,	Yatron,
Eshback,	Lamb,	Polaski,	Yetter,
Ewing,	Lee, A. M.,	Polen,	Zimmerman,
Farabaugh,	Lee, K. B.,	Prendergast,	
Fetterolf,	Leonard,	Price,	Andrews,
Filo,	Limper,	Reidman,	Speaker
Fineman,	Lippincott,	Reidman,	
Floyd,	Lopresti,	Renwick,	

NAYS—18

Ashton,	Hocker,	Pursley,	Whittaker,
Bowman,	Kelser,	Royer,	Willard,
Eshleman,	Kooker,	Snare,	Wood,
Fulmer,	Merry,	Ujobal,	
Goodrich,	Ogilvie,	Stoner,	

NOT VOTING—26

Brown,	Johnson, A. W.,	Moran,	Stroup,
Cooper,	Light,	Murray, P. G.,	Thompson,
Donaldson,	McDonald,	Perry, P. E.,	Wheeler,
Goldstein,	McKeever,	Rigby,	Williams, E. S.,
Heavey,	Mihm,	Rudisill,	Wilt,
Heffner,	Mills,	Stevens,	
Helm,	Monroe,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1799, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing provisions relating to benefits payable to certain alien non-residents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Agnew,	Floyd,	Lippincott,	Reibman,
Anderson,	Flynn,	Lopresti,	Reidenbach,
Arlene,	Foerster,	Luigard,	Renwick,
Auker,	Fox,	Lutty,	Riley,
Balthaser,	Frank,	McCandless,	Rovansek,
Barton,	Frascella,	McCann,	Scarcelll,
Bell,	Galley,	McCormack,	Sakulsky,
Blair,	Gallagher,	McInroy,	Schaaf,
Boles,	Garlock,	McLaughlin,	Schuster,
Bonner,	Gelfand,	Machmer,	Schwartz,
Boris,	George,	Magee,	Seltzer,
Bower,	Gibb,	Mahan,	Sherman,
Branca,	Gramlich,	Markley,	Shupnik,
Brenninger,	Guthrie,	Maxwell,	Silverman,
Breth,	Hamilton,	Meholchick,	Snider,
Buchanan,	Henzel,	Miller, B. Z.,	Stank,
Burns,	Holliday,	Miller, H. G.,	Steckel,
Capano,	Holt,	Muldowney,	Stewart,
Capitolo,	Horst,	Mullen,	Stimmel,
Cianfrani,	Irvis,	Munley,	Stone,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Sullivan,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Varallo,
Davis,	Jones, T. H. W.,	Naugle,	Varnier,
Dengler,	Jump,	Needham,	Verona,
Dennis,	Kamyk,	Nelson,	Wall,
Dennison,	Kee,	O'Dell,	Walsh,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wargo,
Donahue,	Kessler,	O'Donnell, J. P.,	Weidner,
Dougherty,	Knecht,	Odoriso,	Welsh,
Down,	Kornick,	O'Neil,	Wescott,
Edwards,	Korns,	Parlante,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Pashley,	Willaredt,
Eshback,	Kubitsky,	Perry, H. H.,	Worley,
Ewing,	Lamb,	Petrosky,	Wynd,
Farabaugh,	Lee, A. M.,	Polaski,	Yatron,
Fetterolf,	Lee, K. B.,	Polen,	Yetter,
Filo,	Leonard,	Prendergast,	Zimmerman,
Fineman,	Limper,	Price,	Andrews,

Speaker

NAYS—18

Ashton,	Hocker,	Pursley,	Ujobal,
Bowman,	Kelser,	Royer,	Whittaker,
Eshleman,	Kooker,	Snare,	Willard,
Fulmer,	Merry,	Stoner,	Wood,
Goodrich,	Ogilvie,		

NOT VOTING—26

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	Light,	Murray, P. G.,	Stroup,
Donaldson,	McDonald,	Perry, P. E.,	Thompson,
Goldstein,	McKeever,	Rigby,	Wheeler,
Heavey,	Mihm,	Rudisill,	Williams, E. S.,
Heffner,	Mills,	Stevens,	Wilt,
Helm,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross

weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Foerster,	Luigard,	Rovansek,
Anderson,	Fox,	Lutty,	Royer,
Arlene,	Frank,	McCandless,	Sakulsky,
Ashton,	Frascella,	McCann,	Scarcelli,
Auker,	Fulmer,	McCormack,	Schaaf,
Balthaser,	Galley,	McInroy,	Schuster,
Barton,	Gallagher,	McLaughlin,	Schwartz,
Bell,	Garlock,	Machmer,	Seltzer,
Blair,	Gelfand,	Magee,	Sherman,
Boles,	George,	Mahan,	Shupnik,
Bonner,	Gibb,	Markley,	Silverman,
Boris,	Goodrich,	Maxwell,	Snare,
Bower,	Gramlich,	Meholchick,	Snider,
Bowman,	Guthrie,	Merry,	Stank,
Branca,	Hamilton,	Miller, B. Z.,	Steckel,
Brenninger,	Henzel,	Miller, H. G.,	Stewart,
Breth,	Hocker,	Muldowney,	Stimmel,
Buchanan,	Holliday,	Mullen,	Stone,
Burns,	Holt,	Munley,	Stoner,
Capano,	Horst,	Murphy, A. J., Jr.	Sullivan,
Capitolo,	Irvls,	Murphy, P. J.,	Taylor,
Cianfrani,	Isaacs,	Murray, H. P.,	Tompkins,
Cioffi,	Jenkins,	Murray, J. J.,	Trusio,
Clarke,	Jim,	Musto,	Ujobal,
Comer,	Johnson, R.,	Naugle,	Varallo,
Crossin,	Jones, F. R.,	Needham,	Varner,
Curwood,	Jones, T. H. W.,	Nelson,	Verona,
Davis,	Jump,	O'Dell,	Wall,
Dengler,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennis,	Kee,	O'Donnell, J. P.	Wargo,
Dennison,	Kelser,	Odorisio,	Weidner,
Devlin,	Kernaghan,	Ogilvie,	Welsh,
Donahue,	Kessler,	O'Neil,	Wescott,
Dougherty,	Knecht,	Parlante,	Whittaker,
Down,	Kooker,	Pashley,	Williams, A. D., Jr.,
Edwards,	Kornick,	Perry, H. H.,	Willard,
Elberg,	Korns,	Petrosky,	Willaredt,
Eshback,	Kovolenko,	Polaski,	Wood,
Ewing,	Kubitsky,	Polen,	Worley,
Eshleman,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, A. M.,	Price,	Yatron,
Fetterolf,	Lee, K. B.,	Pursley,	Yetter,
Filo,	Leonard,	Reibman,	Zimmerman,
Fineman,	Limper,	Reidenbach,	Andrews,
Floyd,	Lippincott,	Renwick,	Speaker
Flynn,	Lopresti,	Riley,	

NAYS—0

NOT VOTING—26

Brown,	Helm,	Mills,	Stevens,
Cooper,	Johnson, A. W.,	Monroe,	Strausser,
Donaldson,	Light,	Moran,	Stroup,
Goldstein,	McDonald,	Murray, P. G.,	Thompson,
Heavey,	McKeever,	Perry, P. E.,	Wheeler,
Heffner,	Mihm,	Rigby,	Williams, E. S.,
		Rudisill,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class

boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and for the collection of such assessments claims and liens.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Murphy, permit himself to be interrogated on House Bill 2383?

Mr. A. J. MURPHY. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I wonder if the gentleman would explain this bill and the purposes of it?

Mr. A. J. MURPHY. Yes, Mr. Speaker.

In 1927 when the Borough Code was originally codified it was decided by the state Legislature at that time to make all ordinances requiring assessments of properties for borough improvements to be codified. Ten years later, in 1937, this Act was again re-enacted and at the time, apparently, there was some necessity for it.

What this bill will do is that at any time the municipal authorities have made improvements and made assessments on the abutting or adjoining property owners for the payment thereof, rather than from the general fund, and then subsequent to that or during the proceedings a borough ordinance is enacted to make these assessments. Of course, we know that the ordinance is then not applicable to the assessment. It is not an invalid ordinance but you cannot make an assessment retroactive. The only ones that can do that are the General Assembly. So, apparently there arose some need, and of course under the codification of the Code we can readily understand the need. Then again in 1937 there was possibly some need for that.

We have some instances in the Commonwealth, one in particular that I know of, where the municipal authorities have commenced the improvements, let the contract for the improvements, and then discovered that they did not have an ordinance. They went ahead and enacted the ordinance, published it, recorded it in their ordinance book as required by law, and now attempt to levy the assessment. There is some question as to whether or not they can make that levy of the assessment, or whether or not the moneys will have to come out of the General Fund. It does not seem fair that the money will come out of the general fund where the regular taxpayers will have to pay for the total improvement, when the abutting property owners are not specifically assessed.

That is the essence of the Act.

Mr. TOMPKINS. Mr. Speaker, would this Act not validate all mistakes made by all borough authorities heretofore?

Mr. A. J. MURPHY. It will validate those mistakes specifically set forth in the Act, that is correct.

Mr. TOMPKINS. When the gentleman refers to borough authorities, does he mean the borough government as such and not one of the municipality authorities?

Mr. A. J. MURPHY. Mr. Speaker, that is right, I refer only to the elected Borough Council. This will apply to Borough Councils, and of course I think we understand

the Borough Council is guided by its solicitor. If the solicitor is not in attendance at a meeting and they decide they want to go ahead and start these improvements and they do that and later the solicitor catches up with their project—

Mr. TOMPKINS. What I am talking about is that this is work which the borough itself does, and not an authority created by the borough.

Mr. A. J. MURPHY. That is absolutely correct, Mr. Speaker.

Mr. TOMPKINS. This has no relation with validating anything which authorities have done and not which the borough itself has done.

Mr. A. J. MURPHY. No, that is certainly not the intent of this bill and if it were so, and the gentleman would point that out to me, I would certainly want that deleted from the bill.

Mr. TOMPKINS. I just wanted to clarify that because today you know those municipality authorities have the right to take certain steps in connection with committing the finances of the authority, but it must be done through borough ordinances.

This is not to validate anything that has been done by a municipality authority, but by the Borough Council in its function as the borough government, is that correct?

Mr. A. J. MURPHY. That is right. Municipal officials only, and I call the gentleman's attention to the top of page 2 of the bill where it specifically sets forth "Whenever heretofore the council of any city of the third class or of any borough or the board of commissioners of any township of the first class" and so forth. So, it only applies to the municipal officials.

Mr. AUKER. I would like to interrogate the gentleman from Washington, Mr. Murphy.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Murphy, permit himself to be interrogated further?

Mr. A. J. MURPHY. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, as I read the bill it also refers to third class cities, townships of the first class, and boroughs. Is that right?

Mr. A. J. MURPHY. That is correct, Mr. Speaker.

Mr. AUKER. As I read the bill, Mr. Speaker, it would also validate any errors of any description made in the assessment, the notice, the advertisement, the improper passing of the ordinance for all future improvements that might be made. Is that correct?

Mr. A. J. MURPHY. No, Mr. Speaker, that cannot be so. We cannot correct mistakes in the future. This bill does not do that. This is merely a reenactment of the 1937 Act. This Act now appears on our record books, but of course at that time it could not apply to future mistakes, and that is why the necessity for reenacting, if you desire to assist these municipal officials.

Mr. AUKER. Mr. Speaker, I will take the gentleman's word for it. I may have been mistaken in reading the bill. Of course we could provide for future mistakes if we wanted to pass a law, and as I read the bill hurriedly the other day and glanced over it today, it seems to me that that provision is in the bill. But, if the gentleman assures me that is not in the bill I might be inclined to go along and vote for the bill.

Mr. A. J. MURPHY. Mr. Speaker, I would respectfully call the gentleman's attention again to the wording at

the top of page 2, where the word "heretofore" appears. Of course that specifically limits us to what has occurred heretofore, that is, from the effective date of the bill. That is in line 1; "whenever heretofore the council" and so forth, has made a mistake. Had we deleted the word "heretofore" then I would say that possibly the statutory construction could mean heretofore, at the present time, sometime, or in the future, but that is specifically in the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Foerster,	Lutty,	Rovansek,
Anderson,	Fox,	McCandless,	Royer,
Arlene,	Frank,	McCann,	Sakulsky,
Auker,	Frascella,	McCormack,	Scarcell,
Balthaser,	Fulmer,	McInroy,	Schaaf,
Barton,	Galley,	McLaughlin,	Schuster,
Bell,	Gallagher,	Machmer,	Schwartz,
Blair,	Garlock,	Magee,	Seltzer,
Boles,	Gelfand,	Mahan,	Sherman,
Bonner,	George,	Markley,	Shupnik,
Boris,	Gibb,	Maxwell,	Silverman,
Bower,	Goodrich,	Meholchick,	Snare,
Bowman,	Gramlich,	Merry,	Snider,
Branca,	Guthrie,	Miller, B. Z.,	Stank,
Brenninger,	Hamilton,	Miller, H. G.,	Steckel,
Breth,	Henzel,	Muldowney,	Stewart,
Buchanan,	Holliday,	Mullen,	Stimmel,
Burns,	Holt,	Munley,	Stone,
Capano,	Horst,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Irviss,	Murphy, P. J.,	Sullivan,
Cianfrani,	Jenkins,	Murray, J. J.,	Taylor,
Cioffi,	Jim,	Murray, H. P.	Tompkins,
Clarke,	Johnson, R.,	Musto,	Trusio,
Comer,	Jones, F. R.,	Naugle,	Ujobal,
Crossin,	Jones, T. H. W.,	Needham,	Varallo,
Curwood,	Jump,	Nelson,	Varnier,
Davis,	Kamyk,	O'Dell,	Verona,
Dengler,	Kee,	O'Donnell, J. A.,	Wall,
Dennis,	Kelser,	O'Donnell, J. P.,	Walsh,
Dennison,	Kernaghan,	Odorisio,	Wargo,
Devlin,	Kessler,	Ogilvie,	Weidner,
Donahue,	Knecht,	O'Neill,	Welsh,
Dougherty,	Kooker,	Parlante,	Wescott,
Down,	Kornick,	Pashley,	Whittaker,
Edwards,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Willard,
Eshback,	Kubitsky,	Polaski,	Willaredt,
Eshleman,	Lamb,	Polen,	Wood,
Ewing,	Lee, A. M.,	Prendergast,	Worley,
Farabaugh,	Lee, K. B.,	Price,	Wynd,
Fetterolf,	Leonard,	Pursley,	Yatron,
Filo,	Limper,	Reibman,	Yetter,
Fineman,	Lippincott,	Reidenbach,	Zimmerman,
Floyd,	Lopresti,	Renwick,	Andrews,
Flynn,	Lulgard,	Riley,	Speaker

NAYS—3

Ashton,	Hocker,	Isaacs,
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NOT VOTING—26

Brown,	Johnson, A. W.,	Moran,	Stroup,
Cooper,	Light,	Murray, P. G.,	Thompson,
Donaldson,	McDonald,	Perry, P. E.,	Wheeler,
Goldstein,	McKeever,	Rigby,	Williams, E. S.,
Heavey,	Mihm,	Rudisill,	Wilt,
Heffner,	Mills,	Stevens,	
Helm,	Monroe,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2388, entitled:

An Act amending the "State Highway Law approved June 1, 1945 (P. L. 1242) authorizing acquisition of property necessary for present or future highway purposes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Comer, permit himself to the interrogated?

Mr. COMER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I am generally in sympathy with the purpose of this bill. I am wondering, though, if some sections of this bill are not portions of which were included in 1702, which we hashed out pretty well on the floor of this House some weeks ago. That is with reference to the condemnation rights and the acquisition of property to move condemned persons onto.

In other words, as I understand it, under this bill if you condemn a piece of property on which a person is living, or a commercial establishment is erected, you can condemn other property outside of the right-of-way limits for the purpose of moving those people on it. Is that not right?

Mr. COMER. Mr. Speaker, I did not get the last part of Mr. Tompkins' question. Will he repeat it? I cannot hear him up here very well.

Mr. TOMPKINS. As I read Section 22 of this bill on page 4, you condemn a piece of property which is located in the path of the right-of-way of the highway; on that path is a dwelling house. This Section 22 gives you the right to condemn other property which is not in the path of the right-of-way for the purpose of moving the person who was in the path of the right-of-way to the new location.

Mr. COMER. I believe that is correct, Mr. Speaker.

Mr. TOMPKINS. Suppose that piece of property to which you wanted to move that person should be within a zoning area and the building you wanted to put on that property was in restriction of the zoning ordinance. Would this condemnation right contained in this bill give them the power to overcome the zoning ordinance for the use of that land?

Mr. COMER. Mr. Speaker, not being entirely familiar with condemnation proceedings, I would like to yield, to possibly my friend, Mr. Gailey.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, in answer to the gentleman's question, I think the gentleman knows the answer to that question, that is, that the state would have no right to impose its will on a local community in violation of local zoning ordinances providing they were perfectly proper zoning ordinances.

Mr. TOMPKINS. When I asked the question, Mr. Speaker, I did not have the advice of my good legal counsel who is acquainted with all the zoning ordinances. I do not have much experience with them, but he tells

me that the law is that you cannot zone against the rights of the Commonwealth, so maybe my question was unnecessary.

Mr. GAILEY. Mr. Speaker, by way of further answering the gentleman, I think he is quite correct when he states that if the Commonwealth wanted to erect a Commonwealth building on a piece of land which was zoned against for the kind of use which the Commonwealth wanted to make of it, the gentleman would be quite correct, in that the local zoning ordinance would have no bearing, but in this situation where, if I understand the question correctly, the Commonwealth would merely be aiding the private citizen in moving his dwelling place onto a new piece of land, obviously, those zoning laws would affect the private citizen just as if he moved onto them voluntarily.

Mr. TOMPKINS. Mr. Speaker, the thing that I am concerned about is granting to the Commonwealth the right to condemn land beyond the areas of their immediate use and necessity, which I understand is the foundation for the rights of condemnation. Do you know of any other instances where the Commonwealth has the right to condemn beyond the limits of their necessity and use?

Mr. GAILEY. Mr. Speaker, if I may, I would like to yield to the gentleman from Philadelphia, Mr. Lee, who has indicated that he would be glad to supply the gentleman from Cameron with the answer to that question.

Mr. A. M. LEE. Mr. Speaker, I think it might be helpful if we were to consider for just a moment the purpose for which this subsection 22 is included in the bill.

I think all the Members of the House have seen highways which are being constructed, and they have gone down those highways and have seen houses that have been half torn down. There are half houses there.

In other words, the Commonwealth, when it takes the right-of-way, removes that portion of the home or the building which is within the right-of-way and leaves the rest of it standing. Normally in a condemnation proceeding if such a procedure is followed, as far as the damage to the dwelling is concerned, it is considered perhaps 100 per cent loss, and the Commonwealth has to pay for the full value of the dwelling. This particular section is designed to permit the Commonwealth, if by doing so they may reduce the acquisition costs, to jack that building up and move it back out of the right-of-way and set it back down. If in order to do that they have to acquire a little additional ground, they would have that right. Always remember that this right in the Commonwealth only exists where first the owner consents in writing to this being done, and, in the second place, it can only be used where the cost of acquisition would be less as far as the Commonwealth is concerned.

I think with that background of explanation as to what this section is designed to accomplish, we can get at it in a little more intelligent fashion.

Mr. TOMPKINS. In reading this section it says, "Where the owner of the building or structures consents in writing." Would you interpret this to mean that would be the owner of the unimproved land?

Mr. A. M. LEE. No. Because there would not be any buildings or structures on unimproved land, would there?

Mr. TOMPKINS. Yes, but the consent in writing is not from the owners of the unimproved land; the consent is from the owners of the buildings and structures.

Mr. A. M. LEE. I will agree, Mr. Speaker. The reason for requiring the owner of the buildings or structure to consent in writing is this: "it gives him the right to elect to have the Commonwealth either tear down the building in whole or in part and to get his damages in condemnation, or it permits him to refuse to have his building moved if he does not want to have it moved.

Mr. TOMPKINS. That is a different interpretation than has heretofore been put on it because of the fact that I have been sort of understanding that the consent was to be from the owner of the unimproved land. If that were the case, there would be no necessity for condemnation, I agree, but what do you do about the owner of that unimproved land if he owns other buildings on or adjacent to it and he does not want a building of that kind coming in there? Should we give the right to the Commonwealth to condemn lands in an area that is contrary to the wishes of the owner under circumstances of that kind?

Mr. A. M. LEE. I would only say, Mr. Speaker, that the owner of the unimproved land would be in the same situation as any other person whose property is taken for any public purpose. He would be entitled to damages in a condemnation proceeding in the regular course of events. But, remember this section only operates where the cost of acquisition would be less, in other words, where the Commonwealth would save money in the overall picture.

Mr. TOMPKINS. Well, I do not think the cost has anything to do with the basic principle of the right of condemnation in areas beyond the area of necessity and use that they want it condemned for. If they are going to condemn and use for highway purposes, why should the Commonwealth be granted the right to condemn beyond those areas for purposes of moving a structure or building onto it?

Mr. A. M. LEE. I have tried to explain, Mr. Speaker, as to the purpose that I see in the inclusion of this particular clause. It is basically for the purpose of mitigating the damages which the Commonwealth might be called upon to pay. Again I say, as far as the owner is concerned, he need not consent to it, so he is fully protected, that is, the owner of the building or structure.

Mr. TOMPKINS. Well, the owner of the building or structure, of course, is the one who has had his land condemned which is located within the right-of-way to be used. The basic principle of condemnation is that you can do it where the land is to be used for certain public purposes. Certainly land that is to be used for the purpose of moving a building on it is not used for public purposes. I wonder if the gentleman could point out to me, is this not a departure and are we not creating an exception to the basic principle of condemnation that they can go beyond the areas of use now and condemn land?

Mr. A. M. LEE. I would say that—

Mr. TOMPKINS. Is there any other type of condemnation that permits that?

Mr. A. M. LEE. I did not get the last part of that.

Mr. TOMPKINS. Is there any other type of condemnation that permits that?

Mr. A. M. LEE. Not to my knowledge, Mr. Speaker, and I would only say this, that as far as this particular section is concerned, it says that the Secretary may acquire all property necessary for present or future high-

way purposes, and these subsections are a delineation and a definition of what highway purposes are. In this particular area we are allowing them to go somewhat beyond the right-of-way where there is a situation where the Commonwealth may be able to reduce the acquisition costs by so doing.

By this bill, in effect, the Legislature is saying this condemnation of some portion of ground outside of the right-of-way is a condemnation for highway purposes. In other words, we are laying down the rules.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, Members of the House, this provision is a very radical departure from all basic condemnation proceedings, and I think it goes beyond the rights of what we should grant in matters in this respect. I do not like to set up the power in any agency of government to go beyond the point of their use to condemn lands because we are then going to destroy the basic rights of the ownership of private property in this Commonwealth of Pennsylvania, and I am against the bill because of this provision in this section.

Mr. AUKER. Mr. Speaker, I am getting into this because I think I was the one who originally raised the objection to the bill based on this section 22 on page 4.

I agree wholeheartedly with the gentleman from Cameron, Mr. Tompkins, that it is an entirely new field into which we are allowing the state to proceed. I cannot agree with the gentleman from York, and I am not going to get into a technical debate on that, that the state could not condemn where ground is already planned and plotted and approved by a planning commission. I believe the state can do it and the only thing that would change my opinion on that would be a decision by the Supreme Court of this state, and until we have such a decision that they could not do it, then I cannot vote under any circumstances for this bill unless this particular provision was deleted.

I can understand that they put a nice little clause in there where it would be a savings of cost.

Sure, it would be a savings of cost. They could go out into the country and pick out a nice piece of ground that would not be too expensive and put a machine shop or garage or something else within possibly 150 or 200 yards of a person's residence and that certainly would not be satisfactory to the person who moved out there, who wouldn't want that, and yet he would not have one thing to say against it or about it. It seems to me that we are whipping down individual rights, sacred rights, of property ownership in this bill if we allow this bill to pass with this provision in it.

It seems to me that in this Session and other Sessions that we have been gradually whittling away at the sacred rights of individual ownership to property which has always been a very sacred right, and I am not willing to go along with it until we have adequate safeguards written into these bills that will fully protect the individual rights of ownership. We are going far afield in the basic principles of our republican representative form of government.

I would certainly ask every Member to consider very carefully, very carefully, because you know and I know that once we give a department or bureau of this state government authority to go ahead under broad powers such as contained in this section they are going to go

the whole hog. They have not much regard for the individual rights of citizens once they want to do something. That has been my experience with them and I think it has probably been the experience of a good many people who are serving in this House and representing our constituents back home, so I would ask you to think about this very, very carefully.

It is not a matter of a little clause in there that you are going to save some money, a little money, or make it cheaper for them to do it. Sure, they can find that very, very easily. The thing that I am thinking about here, and I reiterate it, is that we are giving the Commonwealth a power that they have never had before, as Mr. Tompkins so well stated, and I think we ought to consider it very, very carefully and weigh it very, very minutely before we extend this kind of power to any department or any bureau of government. Let us remember that the people who run the government in the administrative department are not the government. The people of this state are the government basically and their rights are the first rights to be considered, and no one else's.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and Nays were taken and were as follows:

YEAS—138

Agnew,	Frascella,	McCormack,	Sakulsky,
Anderson,	Galley,	McLaughlin,	Scarcelli,
Arlene,	Gallagher,	Machmer,	Schaaf,
Balthaser,	Garlock,	Magee,	Schuster,
Blair,	Gelfand,	Mahan,	Schwartz,
Boles,	Gibb,	Maxwell,	Seltzer,
Bonner,	Goodrich,	Meholchick,	Sherman,
Boris,	Gramlich,	Merry,	Shupnik,
Bower,	Guthrie,	Muldowney,	Silverman,
Bowman,	Hamilton,	Mullen,	Snare,
Branca,	Holt,	Munley,	Snider,
Breth,	Irlis,	Murphy, A. J., Jr.,	Stank,
Buchanan,	Jenkins,	Murray, J. J.,	Stewart,
Burns,	Jim,	Musto,	Stone,
Capano,	Jones, F. R.,	Naugle,	Sullivan,
Capitolo,	Kamyk,	Needham,	Taylor,
Cianfrani,	Kee,	Nelson,	Trusio,
Cioffi,	Knecht,	O'Dell,	Ujober,
Clarke,	Kooker,	O'Donnell, J. A.,	Varallo,
Comer,	Kornick,	O'Donnell, J. P.,	Varner,
Crossin,	Korns,	Ogilvie,	Verona,
Curwood,	Kovolenko,	O'Neill,	Wall,
Dennis,	Lamb,	Parlante,	Walsh,
Dennison,	Lee, A. M.,	Pashley,	Wargo,
Devlin,	Lee, K. B.,	Perry, H. H.,	Welsh,
Donahue,	Leonard,	Petrosky,	Wescott,
Dougherty,	Limper,	Polaski,	Whittaker,
Eilberg,	Lopresti,	Polen,	Williams, A. D., Jr.,
Eshback,	Lulgard,	Prendergast,	Worley,

Swing,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,

Lutty,
Foerster,
Fox,
McCandless,
McCann,

Reibman,
Reidenbach,
Renwick,
Riley,
Rovanssek,
Royer,

Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—45

Ashton,
Auker,
Barton,
Bell,
Brenninger,
Davis,
Dengler,
Down,
Edwards,
Eshleman,
Fetterolf,

Frank,
Fulmer,
George,
Henzel,
Hocker,
Holliday,
Horst,
Isaacs,
Johnson, R.,
Jones, T. H. W.,
Jump,
Kaiser,

Kernaghan,
Kessler,
Kubitsky,
Light,
Lippincott,
McInroy,
Markley,
Miller, B. Z.,
Miller, H. G.,
Murphy, P. J.,
Murray, H. P.,

Odorisio,
Price,
Pursley,
Steckel,
Stimmel,
Stoner,
Tompkins,
Weldner,
Willard,
Willaredt,
Wood,

NOT VOTING—25

Brown,
Cooper,
Donaldson,
Goldstein,
Heavey,
Heffner,
Helm,

Johnson, A. W.,
McDonald,
McKeever,
Mihm,
Mills,
Monroe,

Moran,
Murray, P. G.,
Perry, P. E.,
Rigby,
Rudisill,
Stevens,

Strausser,
Stroup,
Thompson,
Wheeler,
Williams, E. S.,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria for presiding.

ANNOUNCEMENT BY CHIEF CLERK

The CHIEF CLERK (Mr. OMINSKY). For the information of the House, checks will be available November 1 while we will be in recess and, therefore, unless we hear otherwise, the checks will be mailed to the respective homes or offices.

This will be the last check that the Members will receive before the end of the year under the law. There will be probably only one other check and that is for mileage which will either be mailed or received when we are in session. I thought the Members ought to know or have this information.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 19, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, November 9, 1959, at three o'clock p.m. EST, unless sooner recalled by the President pro Tempore; and when the House of Representatives adjourns this week, it reconvene Monday, November 9, 1959, at four-thirty o'clock p.m., EST, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?
It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 897

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEE

Mr. AGNEW from the Committee on Judiciary, reported as amended, House Bill No. 2015, entitled:

An Act providing for the appointment of a disinterested real estate expert in all proceedings arising from the exercise of eminent domain.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, House Bill No. 1479, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof * * *" providing for the payment of expenses related to investments from interest earnings on the fund.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) changing definition of final average salary for classroom teachers with thirty-five or more years of service.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing homebound instruction for children confined in detention homes.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system, changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, Senate Bill No. 132, entitled:

An Act authorizing the Department of Public Welfare with the approval of the Board of Trustees of the Hollidaysburg State Hospital to contract with the Borough of Hollidaysburg and the Hollidaysburg Sewer Authority for improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Hollidaysburg State Hospital and the payment of part of the cost and maintenance thereafter and making an appropriation.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as amended, Senate Bill No. 227, entitled:

An Act amending the act of July 12, 1919 (P. L. 941) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * * *" changing provisions relating to the contents of the Legislative Journal.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system, changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I believe that if we work straight through, we can finish. So, with that recommendation, we will not break for lunch.

Mr. TOMPKINS. That is right, Mr. Speaker, and if we run into any controversial bills, I am going to ask that they be passed over today. But so far as I know we have non-controversial bills to work on.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code" approved July 28 1953 (P. L. 723) further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I ask that this bill go over because they want to debate this bill and it is a controversial bill.

Mr. WALSH. Mr. Speaker, I do not know what controversy there would be on this bill. The bill simply allows the qualified members of the Pension Fund in Allegheny County additional time in which to pay up their back money so that they could come under this Act. This bill has been on the calendar now for sometime. It passed before and we brought it back because we had no cut-off date on it. We put the cut-off in it, so I do not think there is any controversy on it.

Mr. TOMPKINS. Mr. Goldstein wants to debate this bill, and I think he should be given that courtesy.

Mr. WALSH. Mr. Speaker, I feel that if the gentleman has any interest in this bill he should be here to debate it. This bill has been on the calendar Monday, Tuesday and today. It is not fair to the people in the Allegheny County Pension Fund who want to put their money back in this fund. There is nothing on it, but it was not debated when it passed the first time and the bill is even better now then it was then because you put a cut-off date on it. I ask that we roll this bill.

Mr. DEVLIN. Mr. Speaker, in confirming Mr. Walsh's remarks, we passed this bill unanimously 177-0 on August 12. I certainly would not consider that to be a controversial bill. Now the bill was recalled for the purpose of putting a date into the bill that did not heretofore appear, at the suggestion of one of the drafters in the Justice Department. We recalled it and put the date in. I see no legitimate reason for delaying it any further. As Mr. Walsh points out, if Mr. Goldstein desired to debate the bill, he should have been here.

Mr. TOMPKINS. Mr. Speaker, Mr. Goldstein is not here.

He wanted to debate the bill. I am not trying to defeat the bill. I am merely trying to extend a courtesy to one of the Members of the House, which he requested.

Mr. McCANN. Mr. Spaker, I believe those marks about the debate of Mr. Goldstein, he was here the previous days when the bill was marked, and I know that Mr. Goldstein did intend to debate the bill. But Mr. Goldstein yesterday was not here and could not have debated this bill at that time.

I beg your pardon, I know what time he left. He was here yesterday but by the time the special order of business was being considered he could not have debated the bill.

On those grounds, Mr. Speaker, I agree with the request of the acting Minority Leader, as he has indicated, but I would like to say that the bill is better. Every single item in the bill is agreed to. The only addition is the cut-off date which you see in the bill. You can read it and check.

With that, Mr. Speaker, I would ask that the bill be voted on. Mr. Goldstein can put his remarks on the record.

Mr. TOMPKINS. Mr. Speaker, I am not familiar with the second class county situation as provided in this bill. I would not attempt to debate it myself. I do not know any of the facts or the background of it. All I am trying to do is to get for a Member of this House a courtesy which I think could be extended to him.

Mr. McCANN. Mr. Speaker, does the Minority Leader agree that the bill was agreed to except for Mr. Goldstein's debate?

Mr. TOMPKINS. So far as I know, yes.

Mr. McCANN. Well, since the bill was agreed to and Mr. Goldstein is not here to debate the bill, Mr. Speaker, I would request that the bill be rolled in order. He can spread his remarks on the record. He will not be recorded as voting either aye or nay; he will be recorded as not voting. However, they can put it in the record absent or whatever it may be.

Mr. TOMPKINS. Mr. Speaker, I am not going to try to debate this bill, but I am going to ask for a slow roll call, if that is the position.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Devlin.

Mr. DEVLIN. Mr. Speaker, if it will not suffice for our colleague from Allegheny, Mr. Goldstein, to spread his remarks on the record Monday, November 9, if that will not suffice with the acting Minority Leader, then we will agree to wait until that date and let him give his remarks prior to the vote.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. DEVLIN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 460, Printer's No. 1854, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovaneck,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelll,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Iris,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varner,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.,	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neill,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reibman,	Zimmerman,
Floyd,	Limper,	Reldenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

The being no objection,

House Bill No. 1560, Printer's No. 1855,

House Bill No. 1963, Printer's No. 1856,

House Bill No. 1976, Printer's No. 1836,

House Bill No. 2044, Printer's No. 1853,

House Bill No. 2171, Printer's No. 1842,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 810, Printer's No. 1547,

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

There being no objection,

House Bill No. 446, Printer's No. 1814,

House Bill No. 818, Printer's No. 1790,

House Bill No. 1161, Printer's No. 1375,

House Bill No. 1975, Printer's No. 1166,

House Bill No. 2029, Printer's No. 1796,

House Bill No. 2404, Printer's No. 1824,

House Bill No. 2413, Printer's No. 1804,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2419, entitled:

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) conferring rights on certain provisional employees and war-duration appointees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovaneck,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelll,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,

Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvis,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varnier,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odoriso,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Kornick,	Perry, H. H.,	Willard,
Eshback,	Korns,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Kovolenko,	Lamb,	Wynd,
Farabaugh,	Lee, A. M.,	Prendergast,	Yatron,
Fetterolf,	Lee, K. B.,	Price,	Yetter,
Filo,	Leonard,	Pursley,	Zimmerman,
Fineman,	Light,	Reibman,	
Floyd,	Limper,	Reidenbach,	
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2420, entitled:

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019) changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Gailey,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,

Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvis,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varnier,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odoriso,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Wynd,
Farabaugh,	Lee, A. M.,	Prendergast,	Yatron,
Fetterolf,	Lee, K. B.,	Price,	Yetter,
Filo,	Leonard,	Pursley,	Zimmerman,
Fineman,	Light,	Reibman,	
Floyd,	Limper,	Reidenbach,	
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—1

Worley,

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 2422, Printer's No. 1834,

Senate Bill No. 22, Printer's No. 22,

Senate Bill No. 74, Printer's No. 279 and

Senate Bill No. 82, Printer's No. 82,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "Real Estate Tax Sale Law" further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Flynn,	Lopresti,	Riley,
Anderson,	Foerster,	Lulgard,	Rovansek,
Arlene,	Fox,	Lutty,	Royer,
Ashton,	Frank,	McCandless,	Sakulsky,
Auker,	Frascella,	McCann,	Scarcelli,
Balthaser,	Fulmer,	McCormack,	Schaaf,
Barton,	Galley,	McInroy,	Schuster,
Beil,	Gallagher,	McLaughlin,	Schwartz,
Blair,	Garlock,	Machmer,	Seltzer,
Boies,	Gelfand,	Magee,	Sherman,
Bonner,	George,	Mahan,	Shupnik,
Boris,	Gibb,	Markley,	Silverman,
Bower,	Goodrich,	Maxwell,	Snare,
Bowman,	Gramlich,	Meholchick,	Snider,
Branca,	Guthrie,	Merry,	Stank,
Brenninger,	Hamilton,	Miller, B. Z.,	Steckel,
Breth,	Henzel,	Miller, H. G.,	Stewart,
Buchanan,	Hocker,	Muldowney,	Stimmel,
Burns,	Holliday,	Mullen,	Stone,
Capano,	Holt,	Munley,	Stoner,
Capitolo,	Horst,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobai,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varnier,
Davis,	Jump,	Nelson,	Verna,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Keiser,	O'Donnell, J. P.	Wargo,
Devlin,	Kessler,	Ogilvie,	Weidner,
Donahue,	Knecht,	O'Neill,	Welsh,
Dougherty,	Kooker,	Parlante,	Wescott,
Down,	Kornick,	Pashley,	Whittaker,
Edwards,	Korns,	Perry, H. H.,	Williams, A.D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Willard,
Eshback,	Kubitsky,	Polaski,	Willaredt,
Eshleman,	Lamb,	Polen,	Wood,
Ewing,	Lee, A. M.,	Prendergast,	Wynd,
Farabaugh,	Lee, K. B.,	Price,	Yatron,
Fetterolf,	Leonard,	Pursley,	Yetter,
Filo,	Light,	Reibman,	Zimmerman,
Fineman,	Limper,	Reidenbach,	Andrews,
Floyd,	Lippincott,	Renwick,	Speaker

NAYS—4

Isaacs,	Kernaghan,	Odorisio,	Worley,
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NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 319, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Agnew,	Riley,	Lutty,	Royer,
Anderson,	Foerster,	McCandless,	Sakulsky,
Arlene,	Fox,	McCann,	Scarcelli,
Ashton,	Frank,	McCormack,	Schaaf,
Auker,	Frascella,	McInroy,	Schuster,
Balthaser,	Fulmer,	McLaughlin,	Schwartz,
Blair,	Galley,	Machmer,	Seltzer,
Boies,	Gallagher,	Magee,	Sherman,
Bonner,	Garlock,	Mahan,	Shupnik,
Boris,	Gelfand,	Markley,	Silverman,
Bower,	George,	Maxwell,	Snare,
Bowman,	Gibb,	Meholchick,	Snider,
Branca,	Goodrich,	Merry,	Stank,
Brenninger,	Gramlich,	Miller, B. Z.,	Steckel,
Breth,	Guthrie,	Miller, H. G.,	Stewart,
Buchanan,	Hamilton,	Muldowney,	Stimmel,
Burns,	Hocker,	Mullen,	Stone,
Capano,	Holliday,	Munley,	Stoner,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Horst,	Murray, H. P.	Taylor,
Cioffi,	Irvia,	Murray, J. J.,	Tompkins,
Clarke,	Jenkins,	Musto,	Trusio,
Comer,	Jim,	Naugle,	Ujobai,
Crossin,	Johnson, R.,	Needham,	Varallo,
Curwood,	Jones, F. R.,	Nelson,	Varnier,
Davis,	Jump,	O'Dell,	Verna,
Dennis,	Kamyk,	O'Donnell, J. A.,	Wall,
Dennison,	Kee,	O'Donnell, J. P.,	Walsh,
Devlin,	Keiser,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neill,	Weidner,
Dougherty,	Knecht,	Parlante,	Welsh,
Down,	Kooker,	Pashley,	Wescott,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wood,
Farabaugh,	Lee, K. B.,	Price,	Wynd,
Fetterolf,	Leonard,	Pursley,	Yatron,
Filo,	Light,	Reibman,	Yetter,
Fineman,	Limper,	Reidenbach,	Zimmerman,
Floyd,	Lopresti,	Renwick,	Andrews,
Flynn,	Lulgard,	Rovansek,	Speaker

NAYS—12

Barton,	Henzel,	Kernaghan,	Murphy, P. J.,
Beil,	Isaacs,	Kubitsky,	Odorisio,
Dengler,	Jones, T. H. W.,	Lippincott,	Worley,

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 399, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Mehoichick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvls,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jim,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varnier,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Keiser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odoriso,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reibman,	Zimmerman,
Floyd,	Limper,	Reidenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavy,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Mehoichick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvls,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jim,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varnier,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Keiser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odoriso,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reibman,	Zimmerman,
Floyd,	Limper,	Reidenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavy,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 654, Printer's No. 708,

Senate Bill No. 661, Printer's No. 715 and

Senate Bill No. 662, Printer's No. 716,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boies,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvic,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varner,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.,	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reibman,	Zimmerman,
Floyd,	Limper,	Reidenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 882, Printer's No. 1496 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boies,	George,	Magee,	Sherman,
Boris,	Gibb,	Mahan,	Shupnik,
Bonner,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvic,	Murphy, A. J., Jr.,	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Varner,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.,	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Korns,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaski,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reibman,	Zimmerman,
Floyd,	Limper,	Reidenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing

that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Brenninger,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Merry,	Stank,
Breth,	Henzel,	Miller, B. Z.,	Steckel,
Branca,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Sullivan,
Capitolo,	Irvls,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Isaacs,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.,	Trusio,
Clarke,	Jim,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varner,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	Wall,
Dengler,	Kamyk,	O'Dell,	O'Donnell, J. A.,
Dennis,	Kee,	O'Donnell, J. A.,	O'Donnell, J. P.,
Dennison,	Kelser,	O'Donnell, J. P.,	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weidner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neill,	Whittaker,
Down,	Kooker,	Parlante,	Williams, A. D., Jr.,
Edwards,	Kornick,	Pashley,	Willard,
Ellberg,	Korns,	Perry, H. H.,	Willaredt,
Eshback,	Kovolenko,	Petrosky,	Wood,
Eshleman,	Kubitsky,	Polaski,	Worley,
Ewing,	Lamb,	Polen,	Wynd,
Farabaugh,	Lee, A. M.,	Prendergast,	Yatron,
Fetterolf,	Lee, K. B.,	Price,	Yetter,
Filo,	Leonard,	Pursley,	Zimmerman,
Fineman,	Limper,	Reibman,	Reidenbach,
Floyd,	Light,	Renwick,	Speaker
Flynn,	Lippincott,	Renwick,	

NAYS—0

NOT VOTING—25

Brown,	Johnson, A. W.,	Moran,	Strausser,
Cooper,	McDonald,	Murray, P. G.,	Stroup,
Donaldson,	McKeever,	Perry, P. E.,	Thompson,
Goldstein,	Mihm,	Rigby,	Wheeler,
Heavey,	Mills,	Rudisill,	Williams, E. S.,
Heffner,	Monroe,	Stevens,	Wilt,
Helm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Silverman,
Bonner,	Gibb,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Breth,	Hamilton,	Merry,	Stank,
Buchanan,	Henzel,	Miller, B. Z.,	Steckel,
Burns,	Hocker,	Miller, H. G.,	Stewart,
Capano,	Holliday,	Muldowney,	Stimmel,
Capitolo,	Holt,	Mullen,	Stoner,
Cianfrani,	Horst,	Munley,	Sullivan,
Cioffi,	Irvls,	Murphy, A. J., Jr.,	Taylor,
Clarke,	Isaacs,	Murphy, P. J.,	Tompkins,
Comer,	Jenkins,	Murray, H. P.,	Trusio,
Crossin,	Jim,	Murray, J. J.,	Ujobai,
Curwood,	Johnson, R.,	Musto,	Varallo,
Davis,	Jones, F. R.,	Naugle,	Varner,
Dengler,	Jones, T. H. W.,	Needham,	Verona,
Dennis,	Jump,	Nelson,	Wall,
Dennison,	Kamyk,	O'Dell,	O'Donnell, J. A.,
Devlin,	Kee,	O'Donnell, J. A.,	O'Donnell, J. P.,
Donahue,	Kelser,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kernaghan,	Odorisio,	Weidner,
Down,	Knecht,	Ogilvie,	Welsh,
Edwards,	Kessler,	O'Neill,	Whittaker,
Ellberg,	Kooker,	Parlante,	Williams, A. D., Jr.,
Eshback,	Kornick,	Pashley,	Willard,
Eshleman,	Korns,	Perry, H. H.,	Willaredt,
Ewing,	Kovolenko,	Petrosky,	Wood,
Farabaugh,	Kubitsky,	Polaski,	Worley,
Fetterolf,	Lamb,	Polen,	Wynd,
Filo,	Lee, A. M.,	Prendergast,	Yatron,
Fineman,	Lee, K. B.,	Price,	Yetter,
Floyd,	Leonard,	Pursley,	Zimmerman,
Flynn,	Limper,	Reibman,	Reidenbach,
	Light,	Renwick,	Speaker
	Lippincott,	Renwick,	

NAYS—0

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties * * *" further regulating the powers of the department of city planning over plats or subdivisions of land.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovanssek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvs,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Verner,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A.D., Jr.,
Ellberg,	Korna,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaaki,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Pursley,	Yetter,
Fineman,	Light,	Reidman,	Zimmerman,
Floyd,	Limper,	Reidenbach,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 933, Printer's No. 1096; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovanssek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Galley,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boles,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Buchanan,	Hocker,	Miller, H. G.,	Stewart,
Breth,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irvs,	Murphy, A. J., Jr.	Sullivan,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, R.,	Musto,	Ujobal,
Crossin,	Jones, F. R.,	Naugle,	Varallo,
Curwood,	Jones, T. H. W.,	Needham,	Verner,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Dell,	Wall,
Dennis,	Kee,	O'Donnell, J. A.,	Walsh,
Dennison,	Kelser,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Dougherty,	Knecht,	O'Neil,	Wescott,
Down,	Kooker,	Parlante,	Whittaker,
Edwards,	Kornick,	Pashley,	Williams, A.D., Jr.,
Ellberg,	Korna,	Perry, H. H.,	Willard,
Eshback,	Kovolenko,	Petrosky,	Willaredt,
Eshleman,	Kubitsky,	Polaaki,	Wood,
Ewing,	Lamb,	Polen,	Worley,
Farabaugh,	Lee, A. M.,	Prendergast,	Wynd,
Fetterolf,	Lee, K. B.,	Price,	Yatron,
Filo,	Leonard,	Reidenbach,	Yetter,
Fineman,	Light,	Pursley,	Zimmerman,
Floyd,	Limper,	Reidman,	Andrews,
Flynn,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—25

Brown,
Cooper,
Donaldson,
Goldstein
Heavey,
Heffner,
Helm,

Johnson, A. W.,
McDonald,
McKeever,
Mihm,
Mills,
Monroe,

Moran,
Murray, P. G.,
Perry, P. E.,
Rigby,
Rudisill,
Stevens,

Strausser,
Stroup,
Thompson,
Wheeler,
Williams, E. S.,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 983, Printer's No. 1531,
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Agnew,
Anderson,
Arlene,
Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Boies,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Donahue,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Fetterolf,
Filo,
Fineman,
Floyd,

Flynn,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Gibb,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Isaacs,
Jenkins,
Jim,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Jump,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,

Lippincott,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McInroy,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Miller, B. Z.,
Miller, H. G.,
Muldowney,
Mullen,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Ogilvie,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Riley,

Royer,
Sakulsky,
Scarcelli,
Schaaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Tompkins,
Trusio,
Ujobai,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—11

Devlin,
Farabaugh,
Foerster,

Irvls,
Kamyk,
Lopresti,

McLaughlin,
Machmer,
Murphy, A. J., Jr.

O'Neill,
Rovansek,

NOT VOTING—25

Brown,
Cooper,
Donaldson,
Goldstein,
Heavey,
Heffner,

Helm,
Johnson, A. W.,
McDonald,
McKeever,
Mihm,
Mills,

Monroe,
Moran,
Murray, P. G.,
Perry, P. E.,
Rigby,
Rudisill,

Stevens,
Strausser,
Stroup,
Thompson,
Wheeler,
Williams, E. S.,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provisions which makes worldly employment unlawful on Sunday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,
Anderson,
Arlene,
Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Boies,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Devlin,
Donahue,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,

Foerster,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Gibb,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Devlin,
Donahue,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,

Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McInroy,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Miller, B. Z.,
Miller, H. G.,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,

Riley,
Rovansek,
Royer,
Sakulsky,
Scarcelli,
Schaaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Tompkins,
Trusio,
Ujobai,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—25

Brown, Cooper, Donaldson, Goldstein Heavey, Heffner,	Helm, Johnson, A. W., McDonald, McKeeever, Mihm, Mills,	Monroe, Moran, Murray, P. G., Perry, P. E., Rigby, Rudisill,	Stevens, Strausser, Stroup, Thompson, Wheeler, Williams, E. S., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Anderson, Agnew, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn,	Foerster, Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Henzel, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti,	Luigard, Lutty, McCandless, McCann, McCormack, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rovansek, Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stoner, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—1

Hocker,

NOT VOTING—25

Brown, Cooper, Donaldson, Goldstein, Heavey, Heffner,	Helm, Johnson, A. W., McDonald, McKeeever, Mihm, Mills,	Monroe, Moran, Murray, P. G., Perry, P. E., Rigby, Rudisill,	Stevens, Strausser, Stroup, Thompson, Wheeler, Williams, E. S., Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Boris, Bower, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Devlin, Donahue, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn,	Foerster, Fox, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lopresti, Luigard,	Lutty, McCandless, McCann, McCormack, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rovansek, Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stoner, Sullivan, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—7

Bell,
Bowman,

Isaacs,
Lee, A. M.,

Light,
Lippincott,

Murphy, A. J., Jr.

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Wilt,
			Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Foerster,	Lopresti,	Riley,
Anderson,	Fox,	Luigard,	Rovansek,
Arlene,	Frank,	Lutty,	Royer,
Ashton,	Frascella,	McCandless,	Sakulsky,
Auker,	Fulmer,	McCann,	Scarcelli,
Balthaser,	Gailey,	McCormack,	Schaaf,
Barton,	Gallagher,	McInroy,	Schuster,
Bell,	Garlock,	McLaughlin,	Schwartz,
Blair,	Gelfand,	Machmer,	Seltzer,
Boies,	George,	Magee,	Sherman,
Bonner,	Gibb,	Mahan,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Maxwell,	Snare,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Merry,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Miller, H. G.,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Sullivan,
Capitolo,	Irvis,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Isaacs,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.,	Trusio,
Clarke,	Jim,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Musto,	Varallo,
Crossin,	Jones, F. R.,	Naugle,	Varner,
Curwood,	Jones, T. H. W.,	Needham,	Verona,
Davis,	Jump,	Nelson,	O'Dell,
Dengler,	Kamyk,	O'Donnell, J. A.,	O'Donnell, J. P.,
Dennis,	Kee,	O'Donnell, J. P.,	Walsh,
Dennison,	Keiser,	Odoriso,	Wargo,
Devlin,	Kernaghan,	Ogilvie,	Weidner,
Donahue,	Kessler,	O'Neill,	Welsh,
Dougherty,	Knecht,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Whittaker,
Edwards,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Ellberg,	Korna,	Petrosky,	Willard,
Eshback,	Kovolenko,	Polaski,	Willaredt,
Eshleman,	Kubitsky,	Polen,	Wood,
Ewing,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, A. M.,	Price,	Yatron,
Fetterolf,	Lee, K. B.,	Pursley,	Yetter,
Filo,	Leonard,	Reibman,	Zimmerman,
Fineman,	Light,	Reidenbach,	Andrews,
Floyd,	Limper,		Speaker
Flynn,	Lippincott,		

NAYS—0

, NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Agnew,	Foerster,	Lippincott,	Reldenbach,
Anderson,	Fox,	Luigard,	Renwick,
Arlene,	Frank,	Lutty,	Riley,
Ashton,	Frascella,	McCandless,	Royer,
Auker,	Fulmer,	McCann,	Sakulsky,
Balthaser,	Gailey,	McCormack,	Scarcelli,
Bell,	Gallagher,	McInroy,	Schaaf,
Blair,	Garlock,	McLaughlin,	Schuster,
Boies,	Gelfand,	Machmer,	Schwartz,
Bonner,	George,	Magee,	Seltzer,
Boris,	Gibb,	Mahan,	Sherman,
Bower,	Goodrich,	Markley,	Shupnik,
Bowman,	Gramlich,	Maxwell,	Silverman,
Branca,	Guthrie,	Meholchick,	Snare,
Brenninger,	Hamilton,	Merry,	Snider,
Breth,	Hocker,	Miller, B. Z.,	Stank,
Buchanan,	Holliday,	Miller, H. G.,	Steckel,
Burns,	Holt,	Muldowney,	Stewart,
Capano,	Horst,	Mullen,	Stimmel,
Capitolo,	Irvis,	Munley,	Stone,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Jenkins,	Murphy, P. J.,	Sullivan,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, R.,	Murray, J. J.,	Tompkins,
Crossin,	Jones, F. R.,	Musto,	Trusio,
Curwood,	Jones, T. H. W.,	Naugle,	Ujobai,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varner,
Dennis,	Kee,	O'Dell,	Verona,
Dennison,	Keiser,	O'Donnell, J. A.,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donahue,	Kessler,	Odoriso,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Whittaker,
Ellberg,	Korna,	Pashley,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, H. H.,	Willard,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Ewing,	Lamb,	Polaski,	Wood,
Farabaugh,	Lee, A. M.,	Polen,	Wynd,
Fetterolf,	Lee, K. B.,	Prendergast,	Yatron,
Filo,	Leonard,	Price,	Yetter,
Fineman,	Light,	Pursley,	Zimmerman,
Floyd,	Limper,	Reibman,	Andrews,
Flynn,	Lippincott,		

NAYS—7

Barton,	Henzel,	Rovansek,	Worley,
Farabaugh,	Lopresti,	Walsh,	

NOT VOTING—25

Brown,
Cooper,
Donaldson,
Goldstein
Heavey,
Heffner,

Helm,
Johnson, A. W.,
McDonald,
McKeever,
Mihm,
Mills,

Monroe,
Moran,
Murray, P. G.,
Perry, P. E.,
Rigby,
Rudisill,

Stevens,
Strausser,
Stroup,
Thompson,
Wheeler,
Williams, E. S.,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

CALL OF THE HOUSE

Mr. FARABAUGH. Mr. Speaker, I question the presence of a quorum.

The SPEAKER. The Chair does not hear the gentleman.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 1081, Printer's No. 1361,
Senate Bill No. 1094, Printer's No. 1363,
Senate Bill No. 1109, Printer's No. 1319,
Senate Bill No. 1116, Printer's No. 1334,
Senate Bill No. 1121, Printer's No. 1344,
Senate Bill No. 1181, Printer's No. 1443 and
Senate Bill No. 1182, Printer's No. 1445

were passed over at the request of the SPEAKER.

PARLIAMENTARY INQUIRY

Mr. ROVANSEK. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROVANSEK. The gentleman from Cambria, Mr. Farabaugh questions the presence of a quorum in the House to do business.

The SPEAKER. The Chair did not hear the gentleman. We were in the midst of a roll call and there was nothing we could do about it.

The roll call showed a quorum present. You cannot question the roll call in the face of the fact that the roll had just been called and a majority was present.

Will the gentleman from Cambria preside temporarily?

Mr. LOPRESTI IN THE CHAIR

QUESTION OF PERSONAL PRIVILEGE

Mr. FILO. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FILO. Since the duly elected Speaker has left the rostrum, Mr. Speaker, many times during this Session the gentleman said there will be no consent calendars in this House.

The gentleman from Cambria, Mr. Farabaugh, questioned the presence of a quorum. I think the gentleman should have followed up his question.

QUESTION OF PERSONAL PRIVILEGE

Mr. AUKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, during the debate on Tuesday, October 20, on House Bill 2354, I rose to a point of order on a decision by the Chair at that time to check with the presiding Speaker on a point of order.

I am not conceding that I was not right in taking the point of order. I think that I was right. I am not conceding that I was wrong in not yielding to the Speaker on my point of order raised.

I am admitting to the Members of this House and to the Speakers that I was wrong in the manner in which I did it. I was considerably heated up over the matter. I was wrong and am willing to admit that I was wrong in the way I did it.

I think possibly it was an affront to the House, an affront to the dignity of the Chair, the dignity of this body.

I apologize, Mr. Speaker, to the Members of the House for it and to the Speaker. I wish to extend my apologies also to the gentleman from York, personally, and to him as presiding officer at that time, Mr. Gailey, for the manner in which I did it.

I would like to have those remarks spread upon the record.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I understand that the Minority Leader did have one bill that he had marked in error on page 20, I believe, is that correct?

Mr. TOMPKINS. Bill 1116?

Mr. McCANN. I call up on page 20 bills on third reading, Senate Bill No. 1116, Printer's No. 1334.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1612) entitled "Real Estate Brokers License Act of 1929" re-defining real estate broker and salesman and deleting the provisions relating to limited licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,
Anderson,
Arlene,
Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Boles,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,

Foerster,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Gibb,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irviss,
Isaacs,

Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McInroy,
McLaughlin,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Miller, B. Z.,
Miller, H. G.,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.
Murphy, P. J.,
Murray, H. P.,

Rovansek,
Royer,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Sullivan,
Taylor,
Tompkins,

Cioffi,	Jenkins,	Murray, J. J.,	Trusio,
Clarke	Jim,	Musto,	Ujobai,
Comer,	Johnson, R.,	Naugle,	Varallo,
Crossin,	Jones, F. R.,	Needham,	Varnier,
Curwood,	Jones, T. H. W.,	Nelson,	Verona,
Davis,	Jump,	O'Dell,	Wall,
Dengler,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennis,	Kee,	O'Donnell, J. P.	Wargo,
Dennison,	Keiser,	Odorisio,	Weldner,
Devlin,	Kernaghan,	Ogilvie,	Welsh,
Donahue,	Kessler,	O'Neil,	Wescott,
Dougherty,	Knecht,	Parlante,	Whittaker,
Down,	Kooker,	Pashley,	Williams, A.D., Jr.,
Edwards,	Kornick,	Perry, H. H.,	Willard,
Eilberg,	Korns,	Petrosky,	Willaredt,
Eshback,	Kovolenko,	Polaski,	Wood,
Eshleman,	Kubitsky,	Polen,	Worley,
Ewing,	Lamb,	Prendergast,	Wynd,
Farabaugh,	Lee, A. M.,	Price,	Yatron,
Fetterolf,	Lee, K. B.,	Pursley,	Yetter,
Filo,	Leonard,	Reibman,	Zimmerman,
Fineman,	Light,	Reidenbach,	Andrews,
Floyd,	Limper,	Renwick,	Speaker
Flynn,	Lippincott,	Riley,	

NAYS—1

Machmer,

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strausser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority requirtd by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 2323, Printer's No. 1401, on page 21 of today's calendar, bills on third reading postponed.

Mr. McCANN. Mr. Speaker, I call up Senate Bill No. 882 on page 16 of today's calendar, bill on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. I would like to have somebody explain this bill.

Mr. McCANN. Mr. Speaker, Senate Bill 882, when it came over from the Senate, carried a provision by which the water could be shut off by the authority for non-payment of sewage rental.

When the bill was acted on in the House in the Committee on Municipal Corporations, Senate Bill No. 882 had a series of conferences in which an amendment was placed in the bill that the water could not be shut off for non-payment of sewage rental, but a provision was placed in the bill which gave the right of appeal to court for, I believe, a ten day period so that the case could be heard. If it were just a matter where a person refused not to pay his bills, that is one item; but if it was a matter where there was a discrepancy or where there was a difference of service or the services were not being handled properly, then that person had a right to be heard, and that provision was worked out with the parties involved so that Senate Bill 882 now carries the protective provision of insuring you and me that if we have a discrepancy with the authority where it is a matter of service, that they do not shut our water off but we can be heard. If it is matter of just refusing to pay your bill, then it can be shut off.

Mr. TOMPKINS. Mr. Speaker, the gentleman from Schuylkill, Mr. Knecht, had some explanation on this bill.

The SPEAKER pro tempore. The chair recognizes the gentleman from Schuylkill, Mr. Knecht.

Mr. KNECHT. Mr. Speaker, the object of this bill was to rectify what the Supreme Court referred to as a legislative oversight in reversing a decision of the common pleas court where the boroughs have attempted to shut off the water from one of the residents who had refused to pay his bill.

The borough erected a sewage system and disposal plant at a cost of a million dollars, and about 12 people in that community refused to pay their bills. The common pleas court upheld the borough but the Supreme Court reversed the lower court because of a technicality in the law, which the Supreme Court referred to as a "legislative oversight."

This bill is designed to correct the "legislative oversight" and make it possible for the sewage authority to collect its rentals.

I might say, since that decision of the Supreme Court was handed down, more than 100 people who are connected to the sewer have refused to pay their sewer bills, and unless there is some rectifying legislation, that number is destined to grow, in my opinion. I think this is very vital not only to the borough of Schuylkill Haven but to every other borough or municipality in this state that has spent millions of dollars in some cases to erect sewage disposal plants at the directive of the state, if they are to meet their obligations to the bondholders of the sewage authorities. I think this is a good legislation and I am satisfied to go along with the amendments that were put in because I feel that the court will give a just decision in those cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Agnew,	Frank,	Lutty,	Rovansek,
Anderson,	Frascella,	McCandless,	Royer,
Arlene,	Fulmer,	McCann,	Sakulsky,
Ashton,	Galley,	McCormack,	Scarcelli,
Auker,	Gallagher,	McInroy,	Schaaf,
Balthaser,	Garlock,	McLaughlin,	Schuster,
Barton,	Gelfand,	Machmer,	Schwartz,
Bell,	George,	Magee,	Seltzer,
Blair,	Gibb,	Mahan,	Sherman,
Boles,	Goodrich,	Markley,	Shupnik,
Bonner,	Gramlich,	Maxwell,	Silverman,
Boris,	Guthrie,	Meholchick,	Snare,
Bower,	Hamilton,	Merry,	Snider,
Bowman,	Henzel,	Miller, B. Z.,	Stank,
Branca,	Hocker,	Miller, H. G.,	Steckel,
Brenninger,	Holliday,	Muldowney,	Stewart,
Breth,	Holt,	Mullen,	Stimmel,
Buchanan,	Horst,	Munley,	Stone,
Burns,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Sullivan,
Cianfrani,	Jenkins,	Murray, H. P.,	Taylor,
Cioffi,	Jim,	Murray, J. J.,	Tompkins,
Clarke,	Johnson, R.,	Musto,	Trusio,
Comer,	Jones, F. R.,	Naugle,	Ujobai,
Crossin,	Jones, T. H. W.,	Needham,	Varallo,
Curwood,	Jump,	Nelson,	Varner,
Davis,	Kamyk,	O'Dell,	Verona,
Dengler,	Kee,	O'Donnell, J. A.,	Wall,
Dennis,	Kelser,	O'Donnell, J. P.,	Walsh,
Dennison,	Kernaghan,	Odorisio,	Wargo,
Devlin,	Kessler,	Ogilvie,	Weldner,
Donahue,	Knecht,	O'Neill,	Welsh,
Dougherty,	Kooker,	Parlante,	Wescott,
Down,	Kornick,	Pashley,	Whittaker,
Edwards,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Willard,
Eshback,	Kubitsky,	Polaski,	Willaredt,
Eshleman,	Lamb,	Polen,	Wood,
Ewing,	Lee, A. M.,	Prendergast,	Worley,
Farabaugh,	Lee, K. B.,	Price,	Wynd,
Fetterolf,	Leonard,	Pursley,	Yatron,
Filo,	Light,	Reibman,	Yetter,
Fineman,	Limper,	Reidenbach,	Zimmerman,
Floyd,	Lippincott,	Renwick,	Andrews,
Foerster,	Lopresti,	Riley,	Speaker
Fox,	Luigard,		

NAYS—2

Capano, Flynn,

NOT VOTING—25

Brown,	Helm,	Monroe,	Stevens,
Cooper,	Johnson, A. W.,	Moran,	Strusser,
Donaldson,	McDonald,	Murray, P. G.,	Stroup,
Goldstein,	McKeever,	Perry, P. E.,	Thompson,
Heavey,	Mihm,	Rigby,	Wheeler,
Heffner,	Mills,	Rudisill,	Williams, E. S.,
			Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RODEO QUEEN WELCOMED

The SPEAKER pro tempore. The Chair has been informed that there is present in the Hall of the House a young lady from Schuylkill County, Susan Bertholf, who has just been elected Rodeo Queen at the Horse Show here in Harrisburg.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors, "changing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 591, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring school buses to be equipped with a pressurized dry chemical fire extinguisher and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1002, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing additional enforcement procedures on traffic violations in boroughs towns and townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. FARABAUGH. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FARABAUGH. Mr. Speaker, I would just like to say to the Members who are here, before they leave, that I was not joking. I was sincere in my efforts, because I was very much concerned about what has been going on here and the number of people who have been walking out of this House before the end of the Session. I was sincere and I think it is high time that something be done about it. Had it not been that I respect those who stayed here and did not want to penalize them, I would have pressed the issue.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, I think it would be unfair of the gentleman from Cambria, Mr. Farabaugh, to press that issue now because we realize that Al Johnson is down in Philadelphia seeking out the silent vote for Stassen, and he is having quite a job.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 227, entitled:

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 431) requiring the owner or contractor in certain cases to post bond for payment of labor and material furnished.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 778, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and construct a bridge over the Monongahela River at a point in the vicinity of the borough of Donora in Washington County and the City of Monessen in Westmoreland County * * * empowering counties to pay certain damages and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. COMER. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2098, entitled:

An Act amending the "Unfair Cigarette Sales Act" approved May 20, 1949 (P. L. 1584) making technical changes therein.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2150, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to make a statement regarding parliamentary requests.

Any two Members of this House have the right to demand a roll call, so that any Member of this House who wants to find out whether there is a quorum in the House does not have to raise the question of no quorum. All he has to do is demand a roll call. The roll call will reveal whether or not there is a quorum present.

The Chair wants to say that in his opinion, in fairness to the Members who stay, to have the announcement made early in the Session, when we convene that John Jones of such and such a county, if he has reason to believe there is not a quorum, will ask for a complete roll call. That solves your question right there. There does not have to be any parliamentary fuss about it, there does not have to be anybody recognized, the question presents itself automatically.

INTERROGATION

Mr. McCORMACK. Mr. Speaker, I would like to ask the Chair a question.

The SPEAKER. The Chair will recognize the gentleman. The Chair does not know whether he will answer his question or not.

Mr. McCORMACK. Mr. Speaker, when there is the suggestion of the absence of a quorum what is in order while that suggestion is pending, prior to bringing back all of the Members?

The SPEAKER. The roll itself establishes whether or not there is a quorum present, and if the House has consented to a fast roll call and the fast roll call proceeding on the number that answered at a previous time, counting them present, the result of the roll call establishes the fact that a quorum is present.

However instead of a fast roll call a Member rising can ask for a slow roll call, just like you demand the verification of the roll and it would be parliamentarily possible for a—even on a fast roll call—for a Member to demand a verification of the roll and that would show, and if the verification of the roll showed that there was a quorum present it would automatically develop. We would have to send for the Members. I think that the Members before they leave, if they are likely to be sent for, should be notified that that could be the possible outcome. That is simply the opinion of the Chair.

Mr. McCORMACK. Mr. Speaker, where a quorum is established by the roll call is it not then possible to send for the absent Members?

The SPEAKER. When the absence of a quorum is established by the roll, that automatically reveals the fact then you either have to adjourn or send for the Members. Once that question is raised you have only the two alternatives. You can adjourn or you can send for the Members. I would like to point out that we have Members habitually absent. The House can send for any Member who is absent without leave.

Mr. FILO. Mr. Speaker, regarding this question as to a quorum in the House, as the gentleman well recalls, in the Session of 1949, when the question of a quorum was raised and there were about 15 Members absent, we sat here from eight o'clock in the morning until five o'clock at night until those absent Members were present and

there was no question of a doubt that there was a quorum present at the time.

The SPEAKER. The House had the right if, even though there is a quorum present and the roll call develops the fact that there are absent Members, a verification of the roll develops the fact that there are absent Members of the House, even though there are two hundred Members present on the floor and there are ten that are absent without leave, the House can send for them.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the creation of capital reserve funds regulating the use of such funds and authorizing the levying of taxes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," permitting additional methods of sharing annual lease rentals for projects constructed for more than one school district.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing penalty provisions for failure to file reports on time.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restrictions limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 1168, Printer's No. 1414;

Senate Bill No. 1169, Printer's No. 1415.

Senate Bill No. 1170, Printer's No. 1416;

Senate Bill No. 1171, Printer's No. 1417 and

Senate Bill No. 1172, Printer's No. 1418

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

RESOLUTION

Mr. COMER offered a resolution which was filed with the Clerk under the Rules.

RESOLUTION

CONDOLENCE

Mr. FRASCELLA offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives October 21, 1959.

Last week one of the former Members of this body passed away. Mr. Edward Duffy, Jr., who represented the 21st district from Philadelphia, served in the House from 1940 to 1950. Many of us who are here today remember what a wonderful job Ed did while he was a Representative. He was the type of Member that all of us should try and emulate, since he had the foresight and ability to recognize the problems that faced the State as well as those that he was confronted with from his own district.

At the time of his untimely death, Edward Duffy was only 54 years old. He was then Deputy Clerk of the Quarter Sessions Court of Philadelphia County. He dedicated his entire life to the service of his people. He attended the local schools in Philadelphia and Temple University. By trade he was a sheet metal worker, but his great interest was in the children of Philadelphia, since he always felt that participation in sports was a way to make better citizens out of the youth of today. He himself took an active part in sports since 1920. He organized semi-professional baseball and football teams throughout the Philadelphia area.

He was also active in the Democratic Party. As president of the 29th Ward Democratic Club, he did much to bring honor and prestige to the people he represented. There is no question that his great insight and ever present spirit will be missed by many of his friends and associates; therefore be it

Resolved, That the House of Representatives extend its deepest sympathy to the family of our former colleague from Philadelphia, Mr. Edward Duffy, Jr., during this, their hour of extreme bereavement; and be it further

Resolved, That a copy of this resolution be sent to his widow, Mrs. Florence Duffy, and to his children, Robert, Rita, Ruth and Richard.

RESOLUTION

CONDOLENCE

Messrs. SNIDER, KORNICK, WHEELER and TRUSIO offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives October 21, 1959.

We pause on this sad occasion to mourn the loss of a soldier, statesman, patriot and humanitarian, George C. Marshall, one of the great men of our times, whose actions and deeds will be remembered in infinitum.

A Pennsylvanian, he was born in Uniontown, Pennsylvania, December 31, 1880.

He attended the Virginia Military Institute at Lexington, Virginia and after graduation was commissioned a Second Lieutenant of Infantry in February 1901. He had many important assignments but of particular note were his appointment as Chief of Staff of the United States Army with the rank of full General. He directed the master strategy of the United States war plan during World War II, and in 1944 was promoted to the rank of Five Star General. The European Recovery Program, commonly called the "Marshall Plan," promoted by him played a significant part in the economic recovery of Western Europe and for his untiring efforts was awarded the Nobel Peace Prize in 1953.

Many honors were bestowed upon him by nations all over the world and by institutions of higher learning in recognition of his services to his country and mankind.

Freedom loving peoples in all countries have lost a great champion for their cause in the death of George C. Marshall; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania pays tribute to George C. Marshall, one of our own Pennsylvania sons, who became and was recognized the world over in his lifetime as a great soldier, statesman, patriot and humanitarian; and be it further

Resolved, That a copy of this resolution be transmitted to Katherine Boyce Tupper Brown Marshall, his widow at Leesburg, Virginia.

BILLS INTRODUCED AND REFERRED

By Messrs. GRAMLICH and DAVIS.

HOUSE BILL No. 2434.

An Act requiring the recording of agreements in writing relating to certain easements, and prescribing the effect thereof.

Referred to the Committee on Rules.

By Messrs. A. W. JOHNSON, HOLLIDAY,

AUKER and EDWARDS. HOUSE BILL No. 2435.

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (P. L. 1609), authorizing the Authority to borrow money and issue evidences of indebtedness, regulating issuance of bonds and conferring rights on providing remedies for bondholders.

Referred to the Committee on Rules.

By Messrs. POLEN, McCANN, TOMPKINS

and BOWER.

HOUSE BILL No. 2436.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, * * * certain state officers, and the salary and expenses of the members of the General Assembly, * * *," changing time for payment of certain portions of salary and expenses.

Referred to the Committee on Rules.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concur) that House Bill No. 1213, Printer's No. 1075, entitled "An act amending the act of June 12, 1951 (P. L. 533) entitled 'An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto' changing requirements for admission or detention of CERTAIN patients further regulating the payment of costs for the care of SUCH patients and limiting liability for such payment," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 20, 1959.

Resolved (if the Senate concurs) that House Bill No. 1897, Printers' No. 1657, entitled "An act amending the act of May 1, 1929 (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' further regulating DEPOSITS AND disbursement of funds by brokers," be recalled from the Governor for further consideration.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 19, 1959.

Resolved (if the Senate concurs) that House Bill No. 1968, Printers' No. 1613, entitled "An act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

SENATE BILL No. 749.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

SENATE BILL No. 1107.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1066.

A Supplement to the act of July 15 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

Referred to the Committee on Judiciary.

SENATE BILL No. 1122.

An Act amending the act of April 29 1959 (P. L. 58) entitled "The Vehicle Code" providing for the placing of blood type and RH factor on operator's license card.

Referred to the Committee on Rules.

SENATE BILL No. 1199.

An Act amending the act of May 2 1925 (P. L. 448) entitled "The Fish Law of 1925" further regulating the catching taking killing and possession of carp.

Referred to the Committee on Rules.

SENATE BILL No. 1226.

An Act amending the act of July 15 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 578.

An Act amending the "Beauty Culture Law" approved May 3 1933 (P. L. 242) changing eligibility requirements for examination.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 534.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

HOUSE BILL No. 926.

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley * * *.

HOUSE BILL No. 1496.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

HOUSE BILL No. 1629.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

HOUSE BILL No. 1729.

An Act amending the act of July 29 1953 (P. L. 1440) entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

HOUSE BILL No. 1898.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

HOUSE BILL No. 2376.

An Act amending the act of September 3 1955 (Appro-Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 * * *" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 375.

An Act amending the act of April 6 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

SENATE BILL No. 747.

An Act amending the act of April 2 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and "Office Trailer" and including certain persons buying selling exchanging assembling financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

SENATE BILL No. 748.

An Act amending the act of April 29 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

SENATE BILL No. 749.

An Act amending the act of April 29 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

SENATE BILL No. 750.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for mobile homes house trailers and office trailers.

SENATE BILL No. 751.

An Act amending the act of April 29 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

SENATE BILL No. 1107.

An Act amending the act of May 11 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence, Nos. 1640, 2028 and 2361.

BILLS LAID ON TABLE

House Bills Nos. 2218, 2268 and 2319 and Senate Bill No. 379 were laid upon the Speaker's table.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. I have nothing further to bring before the House except I hope and I know that this is impossible, that everyone may have a most glorious election victory party, for some will lose and some will win, and when we come back the election will be over.

The SPEAKER. The election being over, maybe it will be possible to get down to business.

Mr. TOMPKINS. Mr. Speaker, when we return on November 9, on behalf of Mr. Johnson who will then be in the Superior Court, we will invite you all to his party—at his expense.

ADJOURNMENT

Mr. SCARCELLI. Mr. Speaker, I move that this House do now adjourn until Monday, November 9, 1959 at 4:30 p.m., E.S.T.

The motion was agreed to, and (at 1:40 p.m., E.S.T.) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, NOVEMBER 9, 1959.

No. 107.

SENATE

MONDAY, NOVEMBER 9, 1959

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, FATHER JOHN F. CULLINAN, Pastor of St. Michael's Catholic Church, Hollidaysburg, offered the following prayer:

Almighty God, our Father in Heaven, from Thy sun in the sky comes all the light, heat and power that we have in the material world, and from Thy Fatherly loving heart comes all the light, warmth and strength of the human spirit. All our lives we have been held enwrapped in this never failing love of Thine. Whether we knew or whether we were unaware, Thy love never failed.

Now, in this place and on this day, we are to translate Thy love into love for others. Those who have entrusted themselves to our care will receive, through our agency, the love that comes from the Heavenly Father. We ask Thee then, may we have a living love, a living sense of Thy love for us and of Thy love for all Thy children. May their love be translated into the light of wisdom, into the warmth of affection and the strength of service in Thy Name. In this noble Hall, we see democracy in action. May we also see, through our efforts, Thy love in action, Thy love by Thy dear children and for Thy dear children.

In the Father's Name we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 1103, 1131,
920, 749, 897

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1103, Printer's No. 1476, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1131, Printer's No. 1354, entitled "An Act amending the act of May 28, 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions' providing for additional payments to certain pensioned or retired employees."

DAVID L. LAWRENCE.

October 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 920, Printer's No. 1083, entitled "An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code' regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 749, Printer's No. 1552, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' AUTHORIZING THE SECRETARY TO EXTEND THE TIME FOR REGISTRATION AND OPERATORS' LICENSES AND excepting mobilehomes house trailers or office trailers from safety glass requirements."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 897, Printer's No. 1052, entitled "An Act amending the act of July 28,

1953 (P. L. 723) entitled 'Second Class County Code' increasing the annual salaries of certain officers in counties of the second class."

DAVID L. LAWRENCE.

COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF FRANK C. LEWIS FOR REAPPOINTMENT AS A MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 3, 1959, for the reappointment of Frank C. Lewis, Beaver Falls, Beaver County, as a member of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy Croop (Democrat), 1631 West Front Street, Berwick, Columbia County, for appointment as a member of the Columbia County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Dr. C. E. Sweppenhisser, Berwick, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE FULTON COUNTY BOARD OF ASSISTANCE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Gladys Yeakel (Republican), McConnellsburg, Fulton County, for appointment as a member of the Fulton County Board of Assistance, until December 31, 1960, and until her successor is duly appointed and qualified, vice Rev. Ernest W. Brindle, McConnellsburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. Brinig (Democrat), 447 Glenwood Boulevard, Erie, Erie County, for appointment as a member of the Advisory Board on Problems of Older Workers, for the term of four years or until his successor is appointed and qualified, vice Everett F. Zurn, Erie.

DAVID L. LAWRENCE.

MEMBER OF THE BUSHY RUN BATTLEFIELD COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Otterson, Level Green, R. D. 1, Trafford, Westmoreland County, for appointment as a member of the Bushy Run Battlefield Commission, until the Third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. Earl S. Keim, Youngwood, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENN- SYLVANIA STATE ORAL SCHOOL FOR THE DEAF

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edgar Sebastianelli, Rear 446 Main Street, Eynon, Lackawanna County, for appointment as a member of the Board of Trustees of Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice W. S. Thomas, Scranton, deceased.

DAVID L. LAWRENCE.

MEMBER OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald C. Wilson, President, Hellam Township School Board, R. D. 1, Hellam, York County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Carson, 330 South State Street, Newtown, Bucks County, for appointment as a member of the Study Commission of the Philadelphia Metropolitan Area, until terminated, vice John D. Dougherty, Bristol.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Stapleton, 244 Reynolds Street, Kingston, Luzerne County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scranton State Hospital:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

James Nocera, 131 Second Street, Old Forge, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

John M. Stirna, 141 School Street, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Michael E. Howard, 2402 Boulevard Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Vincent Yuskiewicz, 1009 South Wyoming Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Daniel J. Galvin, Park Gardens, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Joseph Krempasky, Jessup, Lackawanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank McLaughlin, 2618 Mercantile Street, McKeesport, Allegheny County, for reappointment as a member of the Unemployment Compensation Board of Review, until July 1, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE VETERANS' COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Veterans' Commission, until the third Tuesday of January 1963, and until their successors shall have been appointed and qualified:

William T. Malone, Commander, Department of Penn-

sylvania, The American Legion, 305 Connell Building, Scranton, Lackawanna County, vice Paul E. Walters, Pine Grove, resigned.

John J. Piparato, Commander, Department of Pennsylvania, Veterans of Foreign Wars, R. D. 1, Bethlehem, Northampton County, vice John C. Cavender, Hop Bottom, resigned.

Vance E. Beachley, Commander, Department of Pennsylvania, American Veterans of World War II, R. D. 1, Linglestown, Dauphin County, vice Maurice W. Baruth, Pittsburgh, resigned.

Anton M. Miller, Commander, Department of Pennsylvania, Disabled American Veterans, 418 Garfield Square, Pottsville, Schuylkill County, vice Sterling L. Morelock, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Frank R. Katrinak, 514-A South Sixth Street, Reading, Berks County.

Mrs. Susan F. Herbine, 326 North Fifth Street, Reading, Berks County.

Robert H. Gerhart, Jr., R. D. 1, Robesonia, Berks County.

Also, the following for appointment until the third Tuesday of January 1965, and until his successor is appointed and qualified:

Al Iezzi, 3233 Stoudts Ferry Bridge Road, River View Park, Laureldale, Berks County, vice Paul A. Flickinger, Reading, whose term expired.

DAVID L. LAWRENCE.

ALDERMAN

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank S. Beck, 132 Catawissa Avenue, Sunbury, Northumberland County, for appointment as Alderman in and for the Eighth Ward of the City of Sunbury, Northumberland County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Evelyn G. Jenkins, 328 Beaver Street, Zelienople, Butler County, for appointment as Justice of the Peace in and for the Borough of Zelienople, Butler County, to serve until the first Monday of January 1960, vice E. Addison Jenkins, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles E. Davidson, Box 255, Factoryville, Wyoming County, for

appointment as Justice of the Peace in and for the Township of Clinton, Wyoming County, to serve until the first Monday of January 1960, vice Harry J. Englemier, deceased.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. KELLER, from the Committee on State Government, re-reported as committed, House Bill No. 1117, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township, Northampton County, Pennsylvania with the approval of the Governor.

Mr. WALKER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1323, entitled:

An Act requiring the approval of the Pennsylvania Fish Commission or the Pennsylvania Game Commission, prior to construction of bridges, roads, streets or highways affecting any stream, lake, river or other water stocked with game, fish or affecting any State game, forest or park land.

DELEGATION OF PENNSYLVANIA CLERGYMEN PRESENTED TO SENATE

Mr. MULLIN. Mr. President, I have the privilege of introducing to the Members of the Senate today the Reverend William Vaughn Ischie, Jr., Rector, Christ Episcopal Church, Philadelphia; the Reverend Daniel James Yolton, President, Ministerium of Congregational Christian Churches of Northeastern Pennsylvania; the Reverend Francis Ringer, Chairman, Policy Committee, Council of Churches, Philadelphia, and Pastor of United Church of Christ; the Reverend William B. Williamson, D.D., Member of Executive Council, Diocese of Harrisburg, and Rector of Trinity Church, Williamsport; the Reverend E. F. LeFay, Saint Mary's Episcopal Church, Williamsport; the Reverend William D. Turner, Member of the Department of Christian Social Relations, Diocese of Pennsylvania, and Rector of Saint Augustine's Church of the Covenant, Philadelphia.

Mr. President, would the Chair please request the Clergymen to arise and be welcomed?

The PRESIDENT. Will the gentlemen please rise?

It is with great pleasure that we present these distinguished Clergymen to you, the Senate. We are very happy, gentlemen, that you were able to come and visit with us today.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages, and making an appropriation therefor.

Which was committed to the Committee on Rules.

Messrs. PECHAN, BERGER and KROMER read in place and presented to the Chair Senate Bill No. 1233, entitled:

An Act amending the act of April 9, 1929 (P. L. 177),

entitled "The Administrative Code of 1929," changing names of State Teachers' Colleges.

Which was committed to the Committee on Rules.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 1234, entitled:

An Act making an appropriation to the Department of Property and Supplies to provide for the construction of water and sewer lines on the campus of the West Chester State Teachers College.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1235, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of West Chester for defraying the Commonwealth's share of expenses and charges in connection with the construction of water and sanitary sewer lines.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 1236, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," permitting motor vehicles used by certain photographers and cameramen to be equipped with a warning light.

Which was committed to the Committee on Rules.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 1237, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Cambria County.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. SHAFER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFER, from the Committee on Corporations, reported as amended, Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

RECALLED FROM THE GOVERNOR OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 476, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Taylor,
Camiel,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 910, Printer's No. 1141, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers Colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by striking out "Sections 1, 2, 3, 4 and" and inserting: "Section"; Amend Sec. 1, page 2, line 5, by striking out "are" and inserting: "is"; Amend Sec. 1, page 2, lines 6 to 20; page 3, lines 1 to 19; page 4, lines 1 to 20; page 5, lines 1 to 19; page 6, lines 1 to 20; page 7, lines 1 to 19; and page 8, lines 1 to 5 by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 940, Printer's No. 1551, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous unsafe or structurally dangerous buildings or premises in cities of the first class providing for the service or posting of notices relating to the work necessary to abate such nuisances authorizing such cities of the first class themselves or by contract to abate such nuisances under certain conditions providing for the filing of liens for the cost of such work and imposing penalties.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after "and": "providing for appeals"; Amend Sec. 2, page 2, line 16 by striking out "fifteen" and inserting: "twenty-one"; Amend Sec. 2, page 3, by inserting between lines 6 and 7: "Any person upon whom a notice of declaration of nuisance is served may within twenty-one days of such service appeal such finding to the Board of License and Inspection Review in accordance with the procedures prescribed by the board. In no event shall an appellant be required to complete any such work prior to the sixtieth day after the disposition of his appeal."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1198, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1036, Printer's No. 1340;

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1186, entitled:

An Act amending the act of March 10, 1949 (P. L. 30)

entitled "Public School Code of 1949" providing for the sale of surplus personal property by boards of school directors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1189, Printer's No. 1452, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1443, Printer's No. 573;

House Bill No. 1614, Printer's No. 1823; and

House Bill No. 1675, Printer's No. 1840.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1904, Printer's No. 1753, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1942, Printer's No. 1829, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2021, Printer's No. 1778, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in

this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2120, Printer's No. 1400, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2165, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred): Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,

Donolow,
Ehrgood,
Elllott,
Flack,
Fleming,
Harney,

Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,

Rooney,
Ruth,
Sarrafi,
Scott,
Shafer,

Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2181, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarrafi,	Watkins,
Elllott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2292, Printer's No. 1503; and

House Bill No. 2302, Printer's No. 1831.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West

Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2363, Printer's No. 1668, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2372, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the employment of former members of school boards as teachers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Harney,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarra,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,

NAYS—2

Hays,

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2382, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the provisions which make certain worldly employment unlawful on Sunday.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out "699.4" and inserting: "651"; Amend Section 1, page 1, line 2, by striking out "August 28, 1959 (Act No. 278)" and inserting: "April 15 1943 (P L 53)"; Amend the bill, page 1, by inserting after line 3:

"Section 651 Pool and Billiard Rooms [and Bowling Alleys] Whoever being a licensed keeper proprietor owner or superintendent of any public pool-rooms or billiard-

room [bowling-saloon or tenpin alley] permits such place to remain open between the hours of one o'clock ante meridian and six o'clock ante meridian of any secular day or on the first day of the week commonly called the Sabbath Day or knowingly allows or permits any person under the age of eighteen (18) years to be present in any public pool-room or billiard room upon conviction thereof in a summary proceeding shall be sentenced to pay a fine not exceeding ten dollars (\$10) and in default of the payment of such fine and costs shall be imprisoned not exceeding thirty (30) days.

"Section 2 Section 699.4 of the act amended August 28, 1959 (Act No. 278) is amended to read."

Amend Section 1 (Section 699.4), page 2, line 11, by inserting after "swimming": "bowling."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1718, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2405, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" further defining the word "document."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silver,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreech,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE

ON EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William H. Noble, 210 South Broad Street, Nazareth, Northampton County, for appointment as a member of the Delaware River Joint Toll Bridge Commission, until terminated, vice Gus P. Verona, Pen Argyl, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF COSMETOLOGY

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Katharine O. B. Gray, 431 Cherokee Street, Bethlehem, Northampton County, for reappointment as a member of the State Board of Cosmetology, until the third Tuesday of January 1963, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. David, Radnor and Upper Gulph Roads, Wayne, Chester County, for reappointment as a member of the Board of Trustees of West Chester State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

CORONER IN AND FOR THE COUNTY OF CENTRE

October 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert W. Neff, Howard, Centre County, for appointment as Coroner in and for the County of Centre, until the first Monday of January 1960, vice Charles J. Cullen, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

October 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ronald J. Ulmer, 413 Carbon Street, Minersville, Schuylkill County, for appointment as a member of the Board of

Trustees of Wernersville State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice William A. Keller, Denver, resigned.

DAVID L. LAWRENCE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

Whereupon,

A motion was made by Mr. FLEMING and Mr. WATKINS, that the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printer's No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002;
House Bill No. 1157, Printer's No. 1822;
Senate Bill No. 1194, Printer's No. 1457;
House Bill No. 1508, Printer's No. 1530;
House Bill No. 1894, Printer's No. 943;

House Bill No. 2303, Printer's No. 1413;
House Bill No. 2304, Printer's No. 1414; and
House Bill No. 2313, Printer's No. 1523

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 203, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" imposing certain duties on the Governor and State agency or political subdivision involved

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 5, line 6 by inserting after "measures": "consistent with rules and regulations promulgated by the Executive Board, the Civil Service Commission, or both."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 203, Printer's No. 79, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 355, Printer's No. 1710; and
House Bill No. 506, Printer's No. 1826.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 804, entitled:

An Act amending the act of June 13, 1836 (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing the Secretary of Highways to determine the maximum width of public highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 924, entitled:

An Act providing subpoena power for District Attorneys.

The first section was read.

On the question,

Will the Senate agree to the section?

MOTION TO RECOMMIT BILL

Mr. PECHAN. Mr. President, I move that Senate Bill No. 924, on second reading, be recommitted to the Committee on Judiciary General.

Mr. SEYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President and Members of the Senate, I have no pride of authorship on this measure, but I have apprised the parties, the District Attorney of Philadelphia as well as the Attorney General, of the problem involved.

This matter arose as a result of the District Attorney in the city of Philadelphia trying to conduct an investigation by Grand Jury into one of the associations in the city of Philadelphia in an area where he felt there should be some public inquiry. When that was attempted, the Supreme Court of Pennsylvania said that this was not a proper way to do it and the District Attorney is now seeking subpoena power to do it.

This may seem to be a little wide swath of power that the District Attorney is seeking and for that reason I would request, rather than this bill being recommitted, that it go over in order so that the Attorney General and the District Attorney can resolve their differences. If this cannot be done, I will so report back to this Body, and at that time the bill could be recommitted. If there are any objections on that ground, I would like to hear about it.

Mr. BERGER. Mr. President, first of all, I am not going to place any objection to the suggestion that the bill go over in its order, provided that my colleague withdraws his motion to recommit the bill. The motion was made as a result of discussion on this bill whereby we concluded that this was rather extraordinary power to delegate to the office of District Attorney. The power of subpoena is not ordinarily relegated to quasi-judicial proceedings. However, I do not know about the special situation which brought about the introduction of this bill. Therefore, I will ask Senator Pechan if he would care to withdraw his motion.

Mr. WEINER. Mr. President, I will inform the Senate the moment that these two parties resolve their differences, if there is a possibility of having them resolved.

And the question recurring,

Will the Senate agree to the motion?

MOTION TO RECOMMIT BILL WITHDRAWN

Mr. PECHAN. Mr. President, I will now withdraw my motion to recommit this bill.

Mr. SEYLER. Mr. President, I will withdraw my second to the motion to recommit.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 924, Printer's No. 1087, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit and extending the time within which actions of assumpsit may be brought to six years.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SCOTT offered the following amendments:

Amend Section 1, page 3, line 1, by removing the brackets before and after "three" and striking out "six"; Amend Section 1, page 3, line 2, by striking out "six" and inserting in lieu thereof "three."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SCOTT offered the following amendments:

Amend title, sixth line of title, by striking out "and extending the time within which"; Amend title, seventh line of title, by striking out all of said line.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that Senate Bill No. 932, Printer's No. 1095, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and spe-

cial masters in chancery referees examiners auditors and other officers * * * further providing for the giving of copies of notes of testimony in criminal cases.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township Northampton County.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1355, Printer's No. 783, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1380, Printer's No. 1810; and

House Bill No. 1384, Printer's No. 1756.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 1789, on second reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" adding to and redefining the powers and duties of the Department of Public Instruction with respect to libraries and authorizing regional library resource centers.
be recommitted to the Committee on State Government.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I am opposing this motion. This bill, when it first came out, was amended until the very heart of the measure was cut out of it. Now it is being sent back to committee for final death.

I think the matter with which this bill deals, the libraries in the State of Pennsylvania, is a rather vital issue, and a vital problem which is important to all of our people. I think this action is in error.

I would like the gentleman who asked for the bill to be recommitted to reconsider his action as I do not think this will be something of which we can be proud if we kill it now.

This bill deals with an area where we, as a people, have to do everything we can to educate our young people and keep our adults informed. Cutting the heart out of libraries or not placing books in the hands of people so that they can educate themselves, I think is a rather foolhardy thing to do at this time. This bill carries no appropriation with it and was just merely a declaration, in asence, of public policy. Therefore, I do not think that the killing of this measure is something that we should do at this time.

Mr. BERGER. Mr. President, this bill was amended. In the opinion of many of the Senators, the bill, in the form in which it was reported from committee, was rather too broad and went too far. In the opinion of some of the Senators at the present time, including my learned colleague, it may not go far enough. For that reason, Mr. President, we thought that it would be better to recommit this bill and permit a study to be made of this subject with the idea that a recommended bill might be produced for our consideration at another Legislature.

There is no question about it; the conduct of a library and the qualifications of librarians are important, and books should be placed in the hands of our people just as plentifully and as rapidly as it is possible to do so. However, we do not believe that this bill is the precise vehicle by which that laudable object might be accomplished in the manner that it should.

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that a special commission had been appointed earlier this year. I believe it was headed by a Mr. Greenfield of Philadelphia, and a report was placed on the desk of every Member here as well as the Members of the House. I think that this bill is a result of that report.

Since they put that time, effort and energy into the report, I think we should criticize the report or say that the report does not fulfill the function which the commission set out to do, instead of killing the measure that has resulted from it. I think we are sort of going at this thing in a backward manner.

I would like to hear from the Members of this Body who have read the report or found some difficulty with it, and have them tell me what is wrong with it so that I can transmit this to the members of my Caucus, as well as to the Members in the House, who may have made an error in passing this measure. If we do that, we will be saving the Commonwealth money, rather than going into another investigation and having other hearings and another report result.

Mr. SEYLER. Mr. President, I am somewhat bewildered by the turn of events with regard to House Bill No. 1789.

In the first place, the bill originated after a great deal

of study, Mr. President, on the part of people throughout the Commonwealth who have at heart the interest of extending the library facilities of the Commonwealth. A tremendous amount of study was placed on that.

The bill then, when it came to the Senate, was given very careful further study. As a result of the thinking about that, Senator Kessler introduced what seemed to me a set of amendments designed to remove objections which certainly had some validity in the minds of many Members. Those amendments were passed and I thought, at that time, that possibly the bill had been cleared to the satisfaction of everyone. I was greatly surprised when I heard the motion to send it back to committee, because I think everything has been done in the way of studying this bill that could possibly be done. I believe the Kessler amendments removed the last controversial matter from the bill.

This is a very important bill, Mr. President. This is one which, it seems to me, is as important in many ways as the education bills which we are considering because, as far as the adults of our communities throughout the Commonwealth are concerned and as far as the continuation of education beyond the period of formal schooling, the library is the key to this progress.

I believe, therefore, that we should not lightly cast aside a bill which has had all of the study and attention that this bill has had, and which carries the recommendations of the people who are deeply concerned with this, the people who work in this field. I would urge everyone to give serious consideration to this matter. If it has to come to a vote to decide its fate today, then I hope the people here will vote against sending it back to committee.

Perhaps it would be better if we would put this bill over in order and give a little more thought to this matter, rather than put a decisive vote on the matter of recommitting it to committee. It would, perhaps, be better if we would wait a day or two and consider the possibilities.

I hope, however, if that suggestion is not taken, that the motion will be defeated.

The PRESIDENT. The only motion before the Body is a motion to recommit, which has been seconded.

Mr. LANE. Mr. President, first I might say that, in my opinion, this surely is not a political bill. Secondly, Senator Kessler inserted those amendments which certainly watered down the bill, and I was of the opinion there was not going to be any difficulty in regard to this legislation. As a matter of fact, last week I made a speech in which I said that something would be done for the libraries here in Pennsylvania, and I thought that this bill would possibly pass the Senate.

I would dislike very much to see the bill recommitted because it is a great educational feature. It is going to revitalize the libraries in operation in Pennsylvania, and I believe that it is good legislation.

If anyone on the Majority side has objections to this bill, I wonder if they would agree to let the bill go over in order. If the amendments are unnecessary, I, for one, would agree. I would like to have something done this Session. I know if the bill is recommitted now, it will probably be too late to bring it out of committee.

Therefore, I would ask the Majority side to reconsider their position on recommitment and let the bill go over in

order. I will be glad to work with anyone on the other side, and I will agree to almost any amendment possible to save this legislation so that we will have a start here in Pennsylvania. I would like to know if the Majority Leader would reconsider his position on recommitment, let the bill go over and let us see if we can work something out.

Mr. BERGER. Mr. President, I do not feel too strongly about this bill, personally. However, this was discussed thoroughly, and it was the thinking of the majority in our Caucus that the bill should receive some further amendments, and the amendments should be inserted in committee or following a study which could be made by the Joint State Government Commission upon this whole subject.

I see almost nothing in the bill which cannot be done now except to extend the powers of the State Librarian and to set up the regional library resource centers by the State Librarian. Practically anything that is in that section can be done now by the libraries enumerated, as far as I can see.

To make an effective bill, without making it too restrictive upon the already existing and very excellent free public libraries which are located in almost every town and village of any size in our State, would require some further study. I certainly will be glad to discuss this matter with Senator Lane or anyone else as to getting something accomplished even in this Session which might be acceptable, and will certainly not recommend to our Caucus that the matter be considered finished business upon recommitment.

However, at the present time, I would not feel free to withdraw the motion to recommit.

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that there are now one-quarter of a million people in our State who are without library facilities of any type. This is a vehicle to provide those people with those kind of facilities. This was clearly stated in the report, and it was one of the reasons this bill was drawn.

I do not adhere to the idea that this is the finest piece of legislation, or that it covers all of the multitude of sins which we are trying to avoid. However, I certainly think it is a step in the right direction, from which we might build later on to accomplish what we want to do in this State to prevent illiteracy from completely invading many areas where it is now present. I think this bill can shed a light where darkness now exists. I think this is the vehicle to begin this job.

Mr. SEYLER. Mr. President, due to the date on today's Calendar and in view of the prospects of relatively early adjournment, I have a strong feeling that recommitment of this bill will mean its practical death.

For that reason, Mr. President, I would ask for a roll call because I believe that a vote to recommit is a vote to kill the bill. Therefore, I would ask for a roll call.

Mr. LANE. Mr. President, I wonder whether someone from the other side could tell me, specifically, just what is wrong with this bill. Would someone tell us, specifically, what the objectionable features are? By doing that, we will have a clear light in regard to this legislation.

The PRESIDENT. It is my understanding, Senator Lane, that at this time the merits of the bill, itself, cannot be debated. This is a motion to recommit.

Mr. LANE. Mr. President, that is so correct. Perhaps

that was just brought to your attention right now. As a matter of fact, we have been debating this bill for the past half-hour.

The PRESIDENT. I think you may properly call that to my attention, Senator Lane. However, as long as you gentlemen were proceeding to indulge your right to discuss legislation, I hated to annoy you by cutting down on it. I am just wondering whether now, at this point, any further explanation would really be in order.

Mr. LANE. Mr. President, in addressing the Chair, I might say that we have had sort of a vague explanation in regard to this legislation. I, for one, am quite curious. Actually, the legislation is watered down to the point where it is not going to do much of anything. It is merely a step in the right direction. Therefore, I would like to know what the objections really are to this piece of legislation.

The PRESIDENT. I do not think anyone on the other side has volunteered for that particular job. Therefore, I have only before me the question as to the bill's recommendation.

And the question recurring,

Will the Senate agree to the motion?

The roll was called and was as follows:

The yeas and nays were required by Mr. SEYLER and Mr. HAYS, and were as follows, viz:

YEAS—26

Berger,	Fleming,	Pechan,	Van Sant,
Blass,	Harney,	Propert,	Wade,
Chapman,	Keller,	Scott,	Walker,
Confair,	Kessler,	Shafer,	Watkins,
Ehrgood,	Koprivier, Jr.	Stevenson,	Whalley,
Elliott,	Kromer,	Taylor,	Wolfe,
Flack,	Mallery,		

NAYS—18

Camel,	McCreesh,	Ripp,	Seyler,
Donolow,	McGinnis,	Rooney,	Silvert,
Hays,	Miller,	Ruth,	Stiefel,
Kalman,	Mullin,	Sarrafi,	Weiner,
Lane,	Murray,		

So the question was determined in the affirmative.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1927, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act" decreasing one tax clarifying certain types of aircraft.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I offer the following amendments to this bill.

Mr. BERGER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

AMENDMENTS LAID ON THE TABLE

Mr. WEINER. Mr. President, I now request that the amendments which I offered be laid on the table.

The PRESIDENT. There being no objection, the amendments will be laid on the table.

And the question recurring,
Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1927, Printer's No. 1665, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 1850, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for additional payments to certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED AND REFERRED

Mr. RIPP. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. RIPP and FLEMING read in place and presented to the Chair Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of judges of the County Court and Juvenile Court of Allegheny County.

Which was committed to the Committee on Rules.

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, on behalf of Mr. WEINER, read in place and presented to the Chair Senate Bill No. 1239, entitled:

An Act making an appropriation to the Department of Internal Affairs for conducting, interpreting and publishing an aerial magnetometer survey of oil and gas fields in Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McCREESH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. McCREESH and KELLER read in place and presented to the Chair Senate Bill No. 1240, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions.

Which was committed to the Committee on Rules.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 304 FROM THE GOVERNOR

Mr. LANE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE offered the following resolution which was read, considered and agreed to:

In the Senate, November 9, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 304, Printer's No. 329, entitled "An act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' providing for the creation of capital reserve funds for capital expenditures," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

STATEMENT CONCERNING INTRODUCTION OF JOINT RESOLUTION, LIMITING THE LENGTH OF LEGISLATIVE SESSIONS

Mr. BERGER. Mr. President, before making the request that I am about to make, I would like to inform the Members of the Senate that I had intended today to introduce a Joint Resolution concerning an amendment to the recently adopted amendment to the Constitution, limiting the length of the legislative Sessions. The amendment was prepared by the Legislative Reference Bureau, but I find that it needs some slight changes. Therefore, I must defer the introduction of that until tomorrow's Session.

RECESS

Mr. BERGER. Mr. President, I now request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the Conference Room at the rear of the Senate.

Th PRESIDENT. Are there any objections? The Chair

hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, on behalf of Mr. BARR, from the Committee on Rules, reported as committed, Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

HOUSE BILL No. 1614 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 4 of today's Third Reading Calendar, House Bill No. 1614, Printer's No. 1823, which previously went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, on behalf of Senator Mallery, Senator Walker, Senator Barr and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2, page 2, by inserting between lines 10 and 11: "(a) St. John's and St. Mary's Homes, Altoona Catholic Diocese, at Cresson, Cambria County, containing approximately one hundred thirty (130) acres."

Amend Sec. 2, page 2, line 11, by striking out "(a)" and inserting: "(b)."

Amend Sec. 2, page 2, by inserting between lines 12 and

13: "(c) Tressler Lutheran's Home, Loysville, Tyrone Township, Perry County, containing approximately one hundred (100) acres.

"(d) Sunbury Odd Fellows Home, Pennsylvania Odd Fellows, Sunbury, Northumberland County, containing approximately two hundred eighty-seven (287) acres.

"(e) Locust Gap High School, Locust Gap, Mt. Carmel Township, Northumberland County, containing approximately four (4) acres.

"(f) Luzerne County Industrial School, Kis-Lyn, Luzerne County, containing approximately six hundred fifteen (615) acres.

"(g) Presbyterian Children's Village, Presbyterian Orphanage, Philadelphia, containing approximately six (6) acres.

"(h) Youth Rehabilitation Center, Front and Luzerne Streets, Philadelphia, containing approximately twenty (20) acres."

Amend Sec. 2, page 2, line 13, by striking out "(b)" and inserting: "(i)."

Amend Sec. 2, page 2, line 16, by inserting after "as": "Youth Development Center at Cresson."

Amend Sec. 2, page 2, line 17, by inserting after "burg": "Youth Development Center at Loysville, Youth Development Center at Sunbury, Youth Development Center at Locust Gap, Youth Development Center at Kis-Lyn, Youth Development Center at West Philadelphia, Youth Development Center at North Philadelphia."

Amend Sec. 7, page 5, line 20, page 6, line 1, by striking out all of line 20, page 5, and "Twenty-five Dollars (\$541,525)" in line 1, page 6, and inserting: "five hundred thousand dollars (\$500,000)."

Amend Sec. 7, page 6, line 3, by striking out "or the leasing."

Amend Sec. 7, page 6, line 5, by striking out "or leased."

Amend Sec. 7, page 6, line 5, by inserting after "act": "for the Greene County Children's Home, Waynesburg, Greene County, and for the payment for the leasing of the land, improvement and personal property and expenses incidental thereto that may be leased for the Youth Development Center at New Cumberland."

Amend Sec. 8, page 6, lines 7 and 8, by striking out all of line 7, and "hundred seventy-five dollars (\$184,475)" in line 8, and inserting: "one million one hundred thousand dollars (\$1,100,000)."

Amend Sec. 8, page 6, line 11, by inserting after "centers": "at Waynesburg and New Cumberland."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1614, Printer's No. 1823, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do

now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1323, entitled:

An Act requiring the approval of the Pennsylvania Fish Commission or the Pennsylvania Game Commission prior to construction of bridges roads streets or highways affecting any stream lake river or other water stocked with game fish or affecting any State game forest or park land.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

Approval of Senate Bills Nos. 4, 456, 824 and 1107.

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 4, Printer's No. 1487, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prohibiting the sale of gasoline in glass containers."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 456, Printer's No. 490, entitled "An Act repealing the act of March 12, 1873 (P. L. 271) entitled 'An act to prohibit the keeping of

billiard rooms bowling saloons and tenpin alleys within two miles of the State Normal School at Mansfield in the county of Tioga.'"

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 824, Printer's No. 1477, entitled "An Act amending the act of May 11, 1911 (P. L. 279) entitled 'An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case' further providing for the taking of exceptions to ruling of the trial judge."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed Senate Bill No. 1107, Printer's No. 1538, entitled "An Act amending the act of May 11, 1949 (P. L. 1210) entitled 'An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges' extending the types permitted to include teachers' Associations' or federations and fixing requirements thereof."

DAVID L. LAWRENCE.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, November 10, 1959, at 11:30 o'clock, a. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:38 o'clock, p. m., Eastern Standard Time, until Tuesday, November 10, 1959, at 11:30 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, November 9, 1959

The House met at 4:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, in the beauty and glory of this day, we pause to call upon Thy name in prayer, praise, and thanksgiving. We thank Thee for our privilege of living in and sharing in this life and all the many blessings thereof. We praise Thee that Thou hast called these Thy servants with a high and noble calling and hast entrusted to their care the leadership of this great Commonwealth. And we pray that Thou wilt grant to them Thy continued presence, guidance, and care; so that the work which they do and the lives they live may bring glory and honor to Thee. In whose name and for whose sake, we pray. Amen.

JOURNALS APPROVED

The SPEAKER. The Journals for September 15, 16, 21, 22, 28, 29 and 30 are now in print. Unless there are some corrections, they will stand approved. The delay in getting these Journals is a matter that will have to be attended to in future sessions.

The Journals for October 13, 14, 15, 19, 20 and 21 are in print. The Chair will say that they stand approved, but will entertain a motion at any time later on for a correction in those Journals which have been so long delayed. Certainly the delay in receiving the Journals is something that will have to be looked into.

SPEAKER OF CONNECTICUT HOUSE OF REPRESENTATIVES WELCOMED

The SPEAKER. We now have the pleasure of saying that we have with us here on the rostrum the Democratic Speaker of what I believe is, on the basis of present Membership, the Republican House of Representatives of Connecticut. He is here with a group of the employees of the Connecticut House.

He wants to study some of our methods, particularly those matters over which the Chief Clerk has jurisdiction. Of course many of the things we do are worth emulating; and some of the ways we do some things, I hope he never finds out anything about.

The Speaker's name is William J. O'Brien, and you could not make a Republican out of him although he spent some of his time in Pennsylvania, in Mt. Lebanon, which is somewhere in Allegheny County. He lived next door to a present-day Member of the House, Mr. Ewing from that district. Mr. Ewing spent 15 years trying to make a Republican out of this Democratic Speaker from the State of Connecticut.

It gives the Chair great pleasure to present to the Members of this House, William J. O'Brien, Speaker of the House of Connecticut, and I would like to have Speaker O'Brien introduce the other members of his party.

Mr. WILLIAM J. O'BRIEN. Mr. Speaker, Mr. Majority Leader, Mr. Minority Leader, ladies and gentlemen of the House, it is certainly a great pleasure for me to be here

today, knowing that you people are still in Session, and we adjourned back in June with all our work done. Of course it was done basically because of the great record set by our Democratic Governor, Abe Ribicoff, and the many Democrats in the House and Senate.

I have a sort of affinity for Pennsylvania because of the many years I spent in Mt. Lebanon, some 12 or 13 years. All that time Ed Ewing tried very hard to persuade me to become a Republican, but he failed. I regret, of course, that this visit at this time precludes the opportunity to renew acquaintance with a dear friend of mine who died during the past year, John Haudenshield.

Over on our left there, we have with us some people from Connecticut, Miss Lucille Dow of the Clerk's office, Mr. and Mrs. Eugene Thornburn and Mr. David Mandell.

Of course I might say that you Democrats here have a wonderful time; you have six votes which you are numerically ahead. When we entered the House there was one vote difference between the Republicans and Democrats, but you will recall it had been 83 years since the Democrats controlled the House, so that was pretty good. The House now stands at one Republican more than the Democrats, so we felt presumably we would not have a special session this year because of the fact that the session did such a grand job.

I know that you have much to do. It is a great pleasure to return after the many years I spent here. I am glad to renew acquaintances with so many people—Ed Ewing, Joe Barr, and many others.

I assure you, Mr. Speaker, I appreciate greatly the opportunity to visit with you and learn so many things, and we will make every effort, believe me, not to learn the things which you mentioned.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair welcomes the Member from McKean to the Hall of the House.

We are taking it for granted that he will now be able to dedicate his talents to the furtherance of legislation that we have for the people of Pennsylvania.

Mr. A. W. JOHNSON. Mr. Speaker, someone said that I am the late, lamented ex-judge of the State Superior Court. I just want to say that I am, of course, glad to be back. I naturally would like to have won the election but that, after all, is the American way, the majority rules.

I enjoyed traveling all over Pennsylvania to see what a great state it is; traveling on our beautiful turnpikes and expressways. I met some very fine and wonderful people, not only on the Republican side, but on the Democratic side as well. I was amazed at the well-wishers I had all over Pennsylvania.

My reason for addressing you now is to thank the Members on the Republican side for what you did for me in the election, financially and the way they boosted me in their home districts, the way they introduced me as their speaker of the evening. I want to tell you that I will always have in my heart a warm spot for all of you.

And you folks on the Democratic side, your well-wishes I know were well-meant. I know some of you gave me some support. As I went through Pennsylvania you were very kind to me; you introduced me to a lot of nice people. I want to say that the bond of friendship that exists between us, whether we are Democrats or

Republicans, certainly was vividly displayed to me in my campaign throughout the state.

I am glad to be back at this stand, and I want to thank you, one and all, for your kind support. There is no remorse, no hard feelings. We will face the electorate perhaps at another date. I thank you.

MEMBER WELCOMED

The SPEAKER. The Chair notes that Ronald Thompson of Allegheny, who has been ill, has returned to the Hall of the House. We are glad to see him.

Mr. THOMPSON. Mr. Speaker and Members of the House, I just want to take a second. While I was in the hospital I received from the Members here a great many cards, letters and notes. I did not reply to them because I did not have the opportunity, so I want to take this opportunity of thanking all of you for thinking of me, and for all of the good wishes that you sent me. Especially, I still remember the very wonderful card that practically every Members of this House signed; it was really a dilly. Thank you very much.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, on election day the citizens of this Commonwealth voted a change in the Constitution of the Commonwealth dealing with annual sessions of the General Assembly, dealing with appropriations and revenue-raising measures.

Following the results of that election on the amendments proposed in changing the Constitution, we had a meeting here in Harrisburg on Thursday and also on Sunday night. It was agreed, and we are going to present here today legislation which would change the Administrative Code of the Commonwealth to provide that annual budgets shall be submitted to the General Assembly effective in 1961; legislation will be introduced in a few minutes covering this change. The present biennial budget which is being considered and acted on by the Conference Committee in any event be adopted for the present biennium, the 1959-1961 period. Beginning with 1961 the Governor would submit to the General Assembly annual budgets each year. We hope to enact this legislation immediately, changing the Administrative Code.

Then, in compliance with the change in the Constitution, we are submitting a Joint Resolution dealing with the length of regular sessions of the General Assembly. This Joint Resolution proposes that the regular sessions would be a period of three months dealing with fiscal and financial matters, and a period of six months dealing with the general sessions in which all of the laws are to be considered, or what we normally used to call the regular session, which we are now a part of in 1959. We believe the people of Pennsylvania in their vote of approval on the Constitutional change also favored establishing lengths of sessions.

We believe the budgets should be submitted on an annual basis, and we are certainly most pleased that this will be done. We hope that in future years, beginning with 1961, the problems will not be so difficult. It will be easier to estimate the revenue yields of existing taxes and new tax proposals when acted upon on a yearly basis.

In addition to that this House, as you know by the

notice that we sent out, asked that we operate four days this week, Monday, Tuesday, Wednesday and Thursday, and that the following week, the week of November 16, we hope to have the adjournment of the 1959 Session of the General Assembly become a reality. The General Appropriation bill and the 64 other bills dealing with budgeted, non-budgeted, preferred and non-preferred appropriations are all a part of the Conference Committee's work. I hope that before these next ten legislative days pass, counting today, all of these items will be accomplished and that we can adjourn this 1959 Session, sine die and go home to our families for a short period of time, reconvening on January 5, 1960.

Mr. Speaker, there are many problems that must be resolved between now and adjournment, and many problems that must be considered between adjournment and the convening of the new regular session in 1960; problems dealing with the important fiscal matters of this Commonwealth, financial matters dealing with revenue and appropriations.

We are confident we can face these situations, and hope there will be an agreement in the next day or so on adjournment of this Session for 1959. Some, and I believe many of us, feel that we can accomplish, in the period of time that is left, the major portion of the work that needs to be done in this Session dealing with the legislation that has been enacted in the House and sent to the Senate, bills which are being considered in the Senate Committees this week. I hope this will become a reality in the next few days, for certainly we have tried time and time again to arrive at an adjournment date and accomplish this goal which I feel now will become a reality in the next few weeks.

With those thoughts in mind we ask that all of the House Members try to be with us every day this week and next week to complete all of the legislative program that will have to be acted upon here in the House.

I understand other Joint Resolutions will be introduced, and I do hope we will find agreement on the length of time so that we can state the period in which future sessions will operate here in the Commonwealth.

Mr. Speaker, with those thoughts in mind, despite all of those who keep saying you will listen to Christmas carols here in Harrisburg, that will not become a reality.

The SPEAKER. The Chair believes that he might be privileged to state for the information of the Press and the information of the Members that he is most emphatically personally in disagreement with the proposed program of constitutional amendments which the Majority Leader has outlined.

QUESTION OF PERSONAL PRIVILEGE

Mr. STONER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. STONER. Mr. Speaker, over the recent recess I spent some time catching up on my reading of the legislative Journal.

On page 2104, June 30th, House Bill 656, I am recorded as voting in the affirmative. This record is an error. I voted in the negative. This was a very important bill, the personal property tax bill; also it was this error that gave the House the 106 votes to pass the bill.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. COMER.

RESOLUTION No. 125.

In the House of Representatives, October 20, 1959.

The efficient management, operation and control of our highway system is essential to the general safety and welfare of the people of this Commonwealth. Improper classification of highways and roads in respect to their function, use and maintenance not only impedes the free flow of traffic but endangers the health and safety of the citizens of this Commonwealth; therefore be it

Resolved, That the Joint State Government Commission investigate, study and evaluate the classification of all highways, roads and streets in accordance with their function, traffic volume and other pertinent data for the purpose of reclassification; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of such legislation, as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

Referred to the Committee on Rules.

By Mr. COMER.

RESOLUTION No. 126.

In the House of Representatives, October 20, 1959.

A great deal of confusion, lack of understanding and thus controversy has arisen over House Bill 1702, Printer's No. 1634, pertaining to establishing a new Highway Act to revise, consolidate and amend the various acts relating to highways, particularly the existing Highway Act of 1945.

Despite many weeks of study and hearings by the House Committee on Highways and the considerable expense of reprinting the amended bills of House Bill 1702, many members of this House remained confused as to its purpose, necessity and meaning.

It is imperative, therefore, that a thorough study be made of this proposed legislation in order to determine whether or not its enactment would be in the best interests of our Commonwealth as a whole; therefore be it

Resolved, That the Joint State Government Commission be directed to study and thoroughly investigate the advantages and disadvantages to our Commonwealth of enacting legislation similar to 1959 House Bill 1702, Printer's No. 1634; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 274, 480, 540, 621, 661, 662, 717, 752, 794, 795, 1071, 1076, 1173, 1175, 1176, 1229, 1438, 1609, 1646, 1648, 1649, 1723, 1725, 1730, 1993, 2075, 2110, 2134, 2210, 2211, 2267, 2270, 2320, 2321, 2355, and 2365.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 274, Printer's No. 1703, entitled "An act providing leaves of absence with pay for certain employes of the Commonwealth for the purpose of attending conventions."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 480, Printer's No. 1527, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' requiring the erection of certain warning signs on State Highways."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 540, Printer's No. 171, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' further providing for the reversion of territory upon abolition of an independent school district."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 621, Printer's No. 1757, entitled "An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 661, Printer's No. 1570, entitled "An Act amending the act of July 15, 1897 (P. L. 292) entitled 'An act to provide revenue by taxation' increasing the rate of tax on shares of capital stock of banks and savings institutions For A Limited Time."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 662, Printer's No. 1571, entitled "An Act amending the act of June 13, 1907 (P. L. 640) entitled 'An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies' increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company For A Limited Time."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 717, Printer's No. 616, entitled "An act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' providing for the appointment of additional assistant county solicitors and special counsel in counties of the third class."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 752, Printer's No. 433, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' authorizing the inclusion of costs of treasurers' bonds and auditing of treasurer's accounts in estimates of costs of educating handicapped children and providing for reimbursements."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 794, Printer's No. 270, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' providing that violations of certain rules promulgated by the Department of Forests and Waters shall be summary offenses and extending the provisions of the act to include violations at certain additional parks."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 795, Printer's No. 271, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' providing that rules and regulations established by the Department of Forests and Waters governing State parks shall apply to the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park."

DAVID L. LAWRENCE.

October 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1071, Printer's No. 1676, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' regulating the advertising of merchandise offered for sale by certain businesses."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1076, Printer's No. 773, entitled "An Act empowering the Commonwealth to acquire land and operate burial grounds for the disposal of radioactive materials."

DAVID L. LAWRENCE.

October 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1173, Printer's No. 1310, entitled "An Act providing for the continuity of

the General Assembly in the event of an attack by an enemy of the United States."

DAVID L. LAWRENCE.

October 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1175, Printer's No. 1311, entitled "An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject."

DAVID L. LAWRENCE.

October 23, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1176, Printer's No. 378, entitled "An Act to authorize the establishment of an emergency seat of government for the Commonwealth and to authorize the exercise of governmental powers and functions thereat during periods of emergency."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1229, Printer's No. 1259, entitled "An Act amending the act of August 10, 1951 (P. L. 1199) entitled 'An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws' extending the provisions thereof to include political subdivisions."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1438, Printer's No. 572, entitled "An Act amending the act of July 11, 1957 (P. L. 783) entitled 'Fictitious Corporate Name Act' repealing the requirement that certificates of registration be cancelled after five years."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1609, Printer's No. 1049, entitled "An Act amending the act of June 4, 1945 (P. L. 1388) entitled 'Administrative Agency Law' providing for the applicability of the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 1646, Printer's No. 1486, entitled "An Act amending the act of June 12, 1951 (P. L. 533) entitled 'The Mental Health Act of 1951' providing that evidence of mental condition may be submitted by deposition or affidavit of a physician of any City-owned hospital or institution."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1648, Printer's No. 1210, entitled "An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties on the Department of Public Welfare."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1649, Printer's No. 1487, entitled "An Act defining and providing for the licensing of audit day care centers conferring powers and imposing duties on the Department of Public Welfare."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1723, Printer's No. 707, entitled "An Act making an appropriation to the Department of Mines and Mineral Industries to be used by the Coal Research Board for research and development of a process for the use of coal for road building material and other uses and purposes."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1725, Printer's No. 789, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Polk Venango County."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1730, Printer's No. 792, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' changing the names of state penal and correctional institutions."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1993, Printer's No. 1643, entitled "An Act amending the act of March 26, 1873, (P. L. 48) entitled 'An Act authorizing the supreme court of Pennsylvania and the various courts in and for the city and county of Philadelphia to appoint stenographers as commissioners to administer oaths and take depositions' extending provisions of the act to various courts."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2075, Printer's No. 1180, entitled "An Act amending the act of May 27, 1949 (P. L. 1903) entitled 'The Military Code of 1949' providing for certain retired persons."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2110, Printer's No. 1328, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2134, Printer's No. 1119, entitled "An Act amending the act of June 11, 1879 (P. L. 147), entitled 'An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth' increasing the compensation of certain coroner's jurors."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2210, Printer's No. 1271, entitled "An Act amending the act of January 7, 1952 (P. L. 1841), entitled 'Minor Judiciary Fee Bill' reducing costs or fees payable by counties of the second class in cases before salaried magistrates."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2211, Printer's No. 1272, entitled "An Act amending the act of July 28, 1953 (P. L. 723), entitled 'Second Class County Code' requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2267, Printer's No. 1340, entitled "An Act amending the act of June 2, 1891 (P. L. 176), entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' providing that newly assinged mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries."

DAVID L. LAWRENCE.

October 22, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 2270, Printer's No. 1343, entitled "An Act amending the act of June 2, 1891, (P. L. 176), entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' regulating the marking of the means of ingress and egress in mines."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2320, Printer's No. 1504, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas."

DAVID L. LAWRENCE.

October 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2321, Printer's No. 1495, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to Convey 153.91 acres more or less of land in Bensalem Township Bucks County and 13.34 acres more or less of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres more or less of land situate in Somerset Township Somerset County."

DAVID L. LAWRENCE.

October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2355, Printer's No. 1832, entitled "An Act amending the act of August 21, 1953 (P. L. 1254), entitled 'An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes' fixing fees to be charged and paid by counties for certified copies of certain military or naval discharges certificates of service or other separation from active duty forms for use in connection with claims for compensation."

DAVID L. LAWRENCE.

November 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2365, Printer's No. 1670, entitled "An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled 'An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith' providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature."

DAVID L. LAWRENCE.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the House of a former Member, who during his tenure became a very valued friend of the Chair and other Mem-

bers of the House. Gus Wachhus, a former Member from Schuylkill.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 534.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

HOUSE BILL No. 578.

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

HOUSE BILL No. 926.

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley. * * *

HOUSE BILL No. 1496.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

HOUSE BILL No. 1629.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

HOUSE BILL No. 1729.

An Act amending the act of July 29, 1953 (P. L. 1440), entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

HOUSE BILL No. 1898.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie.

HOUSE BILL No. 2376.

An Act amending the act of September 3, 1955 (Appro-Acts page 18), entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high

water of August 1955 * * * extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. YATRON for today.

Mrs. Varallo for Mr. BURNS for today to attend a funeral.

Mr. Tompkins for Mr. BUCHANAN for today.

Mr. Tompkins for Mr. STROUP for the week.

Mr. Tompkins for Mr. UJOBAL for today.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2015, entitled:

An Act providing for the appointment of a disinterested real estate expert in all proceedings arising from the exercise of eminent domain.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 161, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors, "changing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 591, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring school buses to be equipped with a pressurized dry chemical fire extinguisher and providing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1002, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing additional enforcement procedures on traffic violations in boroughs towns and townships.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GALLAGHER offered the following amendment:

Amend Sec. 1 (Sec. 1203), page 3, line 10 by inserting after "or" where it appears the first time "a police officer in uniform."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

The first section was read.

Mr. McCORMACK. I ask that the Clerk read the amendments in full, please.

The SPEAKER. The amendments will be explained in full by the gentleman from Potter and by the Majority Leader. After they have been explained, if the gentleman wants them read in full, it will be allowed. They are principally words here, words there and words some other place.

The Clerk will read the amendments.

On the question,

Will the House agree to the section?

Messrs. GOODRICH and ZIMMERMAN offered the following amendments:

Amend Sec. 1 (Sec. 2501), page 4, lines 4 and 5, by striking out all of line 4 and "lars (\$6300)" in line 5, and inserting: "six thousand six hundred dollars (\$6600)."

Amend Sec. 1 (Sec. 2501), page 4, lines 6 and 7, by striking out all of line 6 and "lars (\$6900)" in line 7, and inserting: "seven thousand four hundred dollars (\$7400)."

Amend Sec. 1 (Sec. 2501), page 5, lines 2 and 3, by striking out all of line 2 and "dred dollars (\$6300)" in line 3, and inserting: "six thousand six hundred dollars (\$6600)."

Amend Sec. 1 (Sec. 2501), page 5, lines 5 and 6, by striking out all of line 5 and "(.0049)" in line 6, and inserting: "fifty-one ten-thousandths (.0051)."

Amend Sec. 1 (Sec. 2501), page 5, lines 7 and 8, by striking out all of line 7 and "lars (\$6300)" in line 8, and inserting: "six thousand six hundred dollars (\$6600)."

Amend Sec. 1 (Sec. 2501), page 5, line 10, by striking out all of said line, and inserting: "seven thousand four hundred dollars (\$7400)."

Amend Sec. 1 (Sec. 2501), page 5, line 13, by striking out "fifty-four ten-thousandths (.0054)" and inserting: "fifty-eight ten-thousandths (.0058)."

Amend Sec. 1 (Sec. 2501), page 5, lines 14 and 15, by striking out "six thousand nine hundred dollars (\$6900)" and inserting: "seven thousand four hundred dollars (\$7400)."

The second section was read.

On the question,

Will the House agree to the section?

Messrs. GOODRICH and ZIMMERMAN offered the following amendments:

Amend Sec. 2 (Sec. 2502), page 20, line 10, by inserting after "membership" "at the expense of their district of residence."

Amend Sec. 2 (Sec. 2502), page 20, line 15, by striking out "basic account."

Amend Sec. 2 (Sec. 2502), page 20, line 18, by striking out "basic account."

Amend Sec. 2 (Sec. 2502), page 21, line 20, page 22, line 1, by striking out "six thousand three hundred dollars (\$6300)" and inserting: "six thousand six hundred dollars (\$6600)."

Amend Sec. 2 (Sec. 2502), page 22, line 4, by striking out "forty-nine ten-thousandths (.0049)" and inserting: "fifty-one ten-thousandths (.0051)."

Amend Sec. 2 (Sec. 2502), page 22, lines 12 and 13, by striking out all of line 12 and "lars (\$6900)" in line 13, and inserting: "seven thousand four hundred dollars (\$7400)."

Amend Sec. 2 (Sec. 2502), page 22, line 16, by striking out "fifty-four ten-thousandths (.0054)" and inserting: "fifty-eight ten-thousandths (.0058)."

The seventh section was read.

On the question,

Will the House agree to the section?

Messrs. GOODRICH and ZIMMERMAN offered the following amendment:

Amend Sec. 7, page 33, lines 6 and 7, by striking out "fifty-five million dollars (\$55,000,000)" and inserting: "seventy million dollars (\$70,000,000)."

On the question,

Will the House agree to the amendments?

Mr. GOODRICH. Mr. Speaker, the amendments offered to House Bill 1108 places it in the same position that it was in when it was reported from the Committee on Education. This Printer's Number is 1768.

Excepting for this feature, the bill as reported from the Committee on Education carried no appropriations. Presently this bill carries a \$70 million in appropriation. The bill as amended carries \$55 million in appropriation. It is the feeling of myself and many others, that the \$70 million is a minimum figure for the subsidization of schools in Pennsylvania.

I would like personally to congratulate the Chairman of the Committee on Education and Members for the fine work they did on the bill. I ask the Members of the House to support the amendments.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Potter, Mr. Goodrich?

The SPEAKER. Will the gentleman from Potter, Mr. Goodrich, permit himself to be interrogated?

Mr. GOODRICH. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman tell us clearly on the amendments that he has just proposed to House Bill 1108, Printer's No. 1861, do these proposed amendments restore the bill to the exact wording and figures that were in the bill at the time it came out of the Committee on Education?

Mr. GOODRICH. Mr. Speaker, it does except for the appropriation.

Mr. McCANN. It does except what, sir?

Mr. GOODRICH. The appropriations.

Mr. McCANN. Mr. Speaker, will the gentleman then tell us whether the amendments that he has proposed to 1108 are amendments which carry an appropriation of how much money?

Mr. GOODRICH. \$70 million.

Mr. McCANN. \$70 million?

Mr. GOODRICH. That is correct.

Mr. McCANN. Mr. Speaker, will the gentleman also then verify that all the teaching unit figures are reverted back to the figures for teaching unit reimbursement as were in the bill when it came out of the Education Committee?

Mr. GOODRICH. That is correct.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, House Bill 1108, Printer's No. 1861, is a bill in which it increases the teaching unit reimbursement figures which are estimated to cost approximately \$55 million.

These amendments proposed by the gentleman from Potter, Mr. Goodrich, would increase the reimbursement figure on the teaching unit basis from the present \$55 million cost to \$70 million.

There is no question that we stand in support of the public schools in Pennsylvania and the public school system, but, I rise to oppose the amendments offered by the gentleman from Potter, Mr. Goodrich, increasing the subsidy figures in the present bill of \$55 million to \$70 million on the grounds that each of these items must be agreed to in what we are trying to do in the field of education.

House Bill 1108 when first introduced cost approximately \$200 million in new money. As reported from the Committee on Education, \$70 million. As reported from the Committee on Appropriations, as amended, \$55 million. The amendments offered by the gentleman from Potter, Mr. Goodrich, would re-increase the \$55 million to \$70 million.

This is not within sound fiscal, sensible operation of our public school system in proposing these amendments and not providing any revenue raising measures to pay for them. As soon as everyone is ready to vote for the tax measures, we on this side of the House will certainly also meet our obligation and provide money for the public school system, whether it is \$70 million, \$80 million, or whatever the figure, but until that time, I rise to oppose the amendments offered by the gentleman from Potter.

Mr. GOODRICH. I assume that the Members of the House are, and I know that they are, responsible. The Members of the House in appropriating revenue which has not been passed at the present time that would finance the amended 1108 for \$70 million, certainly the House of Representatives in voting for the bill, would certainly declare their intent to support equitable and nonpunitive taxes in a like amount. It is not new in the House of Representatives to vote appropriation bills prior to a tax

bill. I think the basis of the Majority Leader's argument is incorrect; it is unsound. At the present time, we have a bill for \$55 million with no tax package signed by the Governor. For that reason I ask the members to support the amendments and ask for a slow roll call.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman?

The SPEAKER. Will the gentleman from Potter permit himself to be further interrogated?

Mr. GOODRICH. I shall.

Mr. McCANN. Mr. Speaker, will the gentleman inform us whether this House has passed revenue raising measures in excess of this amount of money?

Mr. GOODRICH. I think that is correct, but I further think that there is no point in flaying a dead horse.

Mr. McCANN. Mr. Speaker, will the gentleman inform us if any of the Members on the Republican side of the House voted in support of that tax measure?

Mr. GOODRICH. Mr. Speaker, I think the question is not pertinent to the question before the House.

Mr. McCANN. Mr. Speaker, will the gentleman inform us if the Republican Party is now ready to propose and vote for a tax measure to replace the \$55 million that is a dead horse?

Mr. GOODRICH. Mr. Speaker, I can speak for myself only. If it is a nonpunitive and acceptable tax measure, I certainly would vote for it.

Mr. McCANN. Mr. Speaker, will the gentleman define a nonpunitive tax measure when someone always opposes every tax measure?

Mr. GOODRICH. I agree with the Majority Leader that all taxes to a degree are not equitable and are punitive. Now it is the intent in the tax measure that would determine my vote for or against, whether the intent was punitive or not.

Mr. McCANN. Mr. Speaker. Will the gentleman inform us if the amendments he is proposing to 1108 are backed by the Republican Party of the House of Representatives?

Mr. GOODRICH. No, I cannot tell you that.

Mr. McCANN. Mr. Speaker, will the speaker tell us whether the Republican Party supports these amendments and that they are also willing to support the tax measure?

Mr. GOODRICH. Mr. Speaker, the question is not pertinent to the amendments.

The SPEAKER. The Chair has been very lenient in the matter of interrogation.

Mr. McCANN. I said that I assume, sir, that responsible Representatives would pass a tax program.

The SPEAKER. The Chair would say that probably the gentleman cannot commit the Republican party, and does not know who can.

Mr. GOODRICH. Mr. Speaker, you can remove the word "probably" from your statement.

Mr. McCANN. Mr. Speaker, will the gentleman tell us if the amendments to 1108 were agreed on and placed in the bill changing it to \$70 million for the public school system of Pennsylvania, if you are in a position to outline a tax program to support that measure?

Mr. GOODRICH. That is not a question concerning the bill. I assure you that I would be glad to sit down with the Majority side and discuss the tax program to support the measure.

Mr. McCANN. Mr. Speaker, this is extremely important to this measure,

Mr. GOODRICH. That is correct.

Mr. McCANN. If I named the taxes, would you care to say if the party would support them. Since all the tax measures in this Session have been for increased taxes and have been heavily in the field of consumer taxes, such as the sales tax increase and the new items placed under it? Are they now in a position in which they care to place a tax on either business, industry, corporations or in other fields?

Mr. GOODRICH. Mr. Speaker, I did not offer amendments as a policy of the Republican party. I cannot commit the policy of the Republican party to taxation. I will say this again, if there is a need for the \$70 million, I am sure there are enough votes in the House of Representatives to pass it.

Mr. McCANN. Mr. Speaker, if we assure you as members of the Conference Committee there certainly is need for some tax measures to pay this, are you willing to provide the votes for the tax measure?

Mr. GOODRICH. You are asking me as representing the Republican party. I am proud to do that, but in this I could commit only myself.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly for his non-informative position on the Republican policy regarding the tax program to support education. Mr. Speaker, I again ask that the amendments be opposed.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GOODRICH and HOCKER and were as follows:

YEAS—95

Agnew,	Fulmer,	Kooker,	Shupnik,
Ashton,	Gallagher,	Korns,	Snare,
Auker,	George,	Kubitsky,	Steckel,
Barton,	Gibb,	Lee, K. B.,	Stevens,
Bell,	Goldstein,	Lippincott,	Stewart,
Blair,	Goodrich,	McCandless,	Stimmel,
Bonner,	Gramlich,	McInroy,	Stoner,
Boris,	Guthrie,	Magee,	Thompson,
Bower,	Hamilton,	Mahan,	Tompkins,
Bowman,	Heffner,	Markley,	Varnier,
Brenninger,	Henzel,	Merry,	Wall,
Brown,	Hocker,	Miller, B. Z.,	Weidner,
Davis,	Holliday,	Miller, H. G.,	Wescott,
Dengler,	Horst,	Murray, H. P.,	Whittaker,
Dennison,	Isaacs,	Murray, P. G.,	Williams, A. D., Jr.,
Donahue,	Johnson, A. W.,	Naugle,	Williams, E. S.,
Donaldson,	Johnson, R.,	Nelson,	Willard,
Down,	Jones, T. H. W.,	O'Dell,	Willaredt,
Edwards,	Jump,	Ogilvie,	Wilt,
Eshback,	Kee,	O'Neil,	Wood,
Eshleman,	Kelser,	Price,	Worley,
Ewing,	Kernaghan,	Pursley,	Wynd,
Fetterolf,	Kessler,	Rigby,	Zimmerman,
Fox,	Knecht,	Royer,	

NAYS—95

Anderson,	Garlock,	Machmer,	Prendergast,
Arlene,	Gelfand,	Maxwell,	Reibman,
Balthaser,	Heavey,	Meholchick,	Reidenbach,
Branca,	Holt,	Mihm,	Renwick,
Breth,	Irvis,	Mills,	Riley,
Capitolo,	Jenkins,	Monroe,	Rovansek,
Cianfrani,	Jim,	Muldowney,	Sakulsky,
Cioffi,	Jones, F. R.,	Mullen,	Scarcelli,
Clarke,	Kamyk,	Munley,	Schuster,
Comer,	Kornick,	Murphy, A. J., Jr.	Schwartz,
Crossin,	Kovolenko,	Murphy, P. J.,	Sherman,
Curwood,	Lamb,	Murray, J. J.,	Snider,
Dennis,	Lee, A. M.,	Musto,	Stank,
Devlin,	Leonard,	Needham,	Sullivan,
Dougherty,	Light,	O'Donnell, J. A.,	Trusio,
Eilberg,	Limper,	O'Donnell, J. P.	Varallo,
Farabaugh,	Lopresti,	Odorisio,	Verona,

Filo, Fineman, Floyd, Flynn, Foerster, Frank, Galley,	Luigard, Lutty, McCann, McCormack, McDonald, McKeever, McLaughlin,	Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen,	Walsh, Wargo, Welsh, Wheeler, Yetter, Andrews, Speaker
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NOT VOTING—18

Boles, Buchanan, Burns, Capano, Cooper,	Frascella, Helm, Moran, Rudisill, SchAAF,	Seltzer, Silverman, Stone, Strausser,	Stroup, Taylor, Ujobal, Yatron,
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So the question was determined in the negative and the amendments were not agreed to.

The first section was read.

On the question,

Will the House agree to the section?

PERMISSION TO ADDRESS HOUSE

Mr. McCANN asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to have permission just to say one or two words regarding the amendments which have now fallen. I ask unanimous consent to address the House.

We can assume that there are now at least ninety-one Republican votes for the \$70 million tax program to pay for education. Those of us who voted against this increased measure will provide the balance of the votes immediately for the passage of that tax measure.

Mr. SHERMAN. Mr. Speaker, I would like to make a motion at this time if I am in order.

The SPEAKER. The minority Leader was attempting to gain recognition but the Chair overlooked him. The Chair now recognizes the Minority Leader.

Mr. A. W. JOHNSON. Mr. Speaker, I yield to the gentleman from Cameron.

The SPEAKER. The Minority Leader yields to the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, in connection with the remarks of the Majority Leader, I merely wish to state that there were 18 Republican votes on this side already for \$28 million of taxes for the schools.

Mr. McCANN. Mr. Speaker—

The SPEAKER. There is nothing before the House but will the House agree to Section 1?

Mr. McCANN. That is right, Mr. Speaker, but you recognized the gentleman the same as you did me on other than what was before the House, Section 1.

The SPEAKER. The Chair hearing no objection, the Majority Leader will proceed.

Mr. McCANN. It is this type of irresponsible financial responsibility that causes the chaotic conditions. There were, and those votes for \$28 million worth of public school money in which the Republican Members of this House voted to pass tax measures to provide that money for public education. Will any stretch of the imagination make that \$28 million, \$70 million or will you consider the personal property tax at \$55 million in addition to the \$28 million?

Mr. TOMPKINS. Mr. Speaker, I said nothing about voting for any tax for \$70 million. I merely wanted to correct the statement that he asked for votes for \$70 million worth of taxes. I wanted to remind him that it is not \$70 million. We have already voted for \$28 million.

Mr. A. W. JOHNSON. Mr. Speaker, I realize that I have been away for two weeks and when I got back here last evening and started working on this calendar, of course, on second reading I found House Bill 1108.

As I have gone through the hinterlands and talked to many, many people, oddly enough, they would come to me and say, "Well, how about House Bill 1108?" House Bill 1108 is pretty firmly imbedded in the minds of every citizen of Pennsylvania and it has been imbedded in there by educators, teachers, and members of the PTA, and everybody all over the state says, you have to do something about 1108. Well, we notice that it is on the calendar and there is a tab on it for \$55 million. I know what the by-play is and what the game is. The game is to get the bill over to the Senate and then to start putting pressure on the Senate to pass the personal property tax.

Well, now, you know why the Senate has not passed the personal property tax. For one thing, the tax hits unevenly on the people of Pennsylvania and two of our major cities practically go scott-free under the tax. You have read it in the public press, and I have heard it said to me, that the other Body, or somebody in another place where it is to be voted on, has said that the tax will not pass, it is a dead issue. All right, I think when talking about gross irresponsibility, even sending the \$55 million over to the Senate in view of repeated warnings that the bill would not pass, is, of course, gross irresponsibility. But I can see a political gimmick on the part of all of us. The people want some part of 1108.

You do not dare put it on the postponed calendar or send it back to Committee until you have decided what type of tax we are going to pass. I think the plan of the minority is to send it over to the Senate, hoping then that the Senate will put it on the Governor's desk to be signed and then to pass some kind of tax program this biennium, this next Session, rather, which will come right now, January 5.

I do not know which is the best course. It seems it is irresponsible to send this bill over to the Senate when we know there presently is not any tax money to pay for it. It seems there should be some responsibility here in this House on the part of the Ways and Means Committee to try, and if the personal property tax is as dead as it reputedly is, to do something within the realm of the \$55 million. I am not saying what tax or what you should do, but you are certainly being irresponsible if you send that bill over to the Senate without the money.

You say you want to get out of here; you want to adjourn maybe next week sine die. How are you going to adjourn sine die if you send this bill over to the Senate and they refuse to pass the personal property tax? We will go on and on and on, and there will be a deadlock here. I think if anybody is being grossly irresponsible, you people on the other side are being grossly irresponsible in determining to send this bill over there when you know absolutely the Senate is not going to pass the personal property tax. That is what it adds up to, and I can see in the amendments that Mr. Goodrich felt that as long as we are sending a school bill over to the Senate without any money, why not send it over in an adequate amount and then figure out some way to pay for it. I think that is the rationale of the thinking. Maybe that is being irresponsible. Be that

as it may, even if now, tomorrow, we send this bill over to the Senate without the money for it, I think the people of Pennsylvania can rightfully say we are all being irresponsible.

You say what taxes will you vote for? My goodness, we came into this Session, you people had a majority and you had a tax package that you could have passed by yourselves and sent over to the Senate, but no, every day of this Session you have stood there with your hat in your hand and begged us to give you votes and give you votes. You want bipartisanship, but it is only a one-way street with you people over there. That is the trouble with this whole Session.

We Republicans want to be responsible, and we have been responsible by giving you votes to pass a pretty tough tax program. But here we have a \$55 million tab, and I do not know where you are going to get the money. I know there is an indisposition on this part of the House to now, at this point, give any votes for taxes. There is an election coming up and the people are very sensitive about the whole situation. Why do you not call a meeting of your Ways and Means Committee and work this thing out for yourselves as the responsible party in Pennsylvania? That is my admonition to you. I do not believe it is right for you to say that we are being irresponsible on this side of the House when it is emanating right from you folks.

The SPEAKER. The Chair will perhaps, with one more reply from the Majority Leader, declare that last campaign over and decree that next year's campaign has not yet begun. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, it is very nice for the Minority Leader to say that the irresponsibility should be shifted over to the Democratic side of the House, but if you do not call that irresponsible in changing a school bill to \$70 million when you are not going to provide the votes for the tax measure, what is it? That certainly is the height of irresponsibility.

I can remember so well, time and time again, and the Legislative Journal will show clearly, the remarks of the Minority Floor Leader in which he stated time and time again that the people of Pennsylvania are getting very, very fed up with additional taxes. Now if 1108 has \$55 million, \$70 million or \$200 million, you and I are the only ones who can vote for the tax measures to pay for it; nobody else can in this House.

I think it is time that you face the financial responsibility. It is nice to be able to do something about schools, and we want to do everything we can for the public school system, but let us do it in a financially responsible way. We passed in this House a tax measure for \$55 million. That tax measure is a personal property tax. It is not right to say that Philadelphia and the city of Pittsburgh people do not pay, or would not pay, any taxes under this bill. They now pay and have been paying more taxes than you and I pay under the same law. Yes, they have.

The SPEAKER. The House will be in order. We can transgress the rules in debate under unanimous consent, but in so doing we must have decorum.

Mr. McCANN. Mr. Speaker, it is high time that the financial responsibility of this Commonwealth be faced by the two parties, and you say call your Ways and Means Committee together and work this out, propose a

tax measure. It is very easy to say that. It is very easy to talk about the tax measure. We as a Democrat party voted for the sales tax measures. We cannot seem to get anywhere in the field of taxation that we as a party believe in and that we as a party seem to favor, but, Mr. Speaker, we do favor being a sound fiscal Commonwealth and sharing our responsibility in enacting those tax measures.

I again say to you that the amendment proposed was nothing more than a position to place into the bill a \$70 million appropriation in which all of us would have to vote for the tax measures to pay for it except no one will state what the tax measures are.

Mr. SHERMAN. Mr. Speaker, I think I had the floor before and yielded temporarily to all those speakers who have preceded me.

At this time, Mr. Speaker, I wish to make both a motion and then talk briefly on the motion.

MOTION TO RECOMMIT

Mr. SHERMAN. Mr. Speaker, I move that House Bill 1108 be recommitted to the Committee on Judiciary for further study and attention.

The SPEAKER. That is a proper motion, to recommit to what Committee?

Mr. SHERMAN. The Committee on Judiciary.

On the question,

Will the House agree to the motion?

Mr. SHERMAN. I wish to speak briefly on the motion and then request a division.

Mr. Speaker, there has been no dissenting voice that a House bill emanating from this House, regardless of the other body, should be properly considered for the benefit of our teachers and schools.

I, in making this motion, have that in mind—have in mind that we should give careful study and attention to a proper House bill so that all of our school teachers and the children attending schools may receive proper attention, and a proper appropriation can be made for their benefit.

House Bill 1108, in my opinion has never been given proper consideration and attention, and if this House was to inquire from the two or three of those House Members who even attended to the matter when this bill was brought up, you will find that very little if anything is known about it, either the bill or the amendment.

The SPEAKER. The gentleman is verging upon a line of discussion that if the question were raised the Chair would have to rule that the gentleman was out of order.

Mr. SHERMAN. I believe, Mr. Speaker, that the Committee that should properly consider this bill is the committee I have requested so that not only the Chairman of our Educational Committee will have a proper say but that all members of the Committee who are properly learned in the law, and before whom the entire question can be put. I believe that the Judiciary Committee is the proper Committee to carefully consider a bill of this magnitude, in which all of our teachers and not only those in a particular area should be given proper appropriations.

Therefore, Mr. Speaker, I ask a division vote and ask that as many as possible support this motion to recommit to the Committee on Judiciary,

Mr. GELFAND. Mr. Speaker, prior to Mr. Sherman's making the motion to recommit we heard an eloquent discourse from the Minority Leader as to fiscal responsibility in an effort to place blame upon this side of the House for House Bill 1108.

House Bill 1108 is repugnant to a great many of the Members on this side of the House. We feel that it needs full and complete study before it is acted upon. We feel, first of all, that the appropriation mentioned in this piece of legislation has been placed in it without ample and complete study. We think that all aspects of the bill need complete study. As a matter of fact, we feel the whole question of subsidies for various school districts requires complete amplification and further study.

Therefore, we take this opportunity at this time in order to induce the people on the other side of the House to act the way they speak. If they feel that this bill represents fiscal irresponsibility this is an opportunity for them to demonstrate what they do consider fiscal responsibility by voting to recommit this bill where it will receive ample and complete study, and then come out as a bill that will serve the purposes of the school districts of this Commonwealth in the way they should be served.

Mr. McCANN. Mr. Speaker, on the motion made by the gentleman from Philadelphia to recommit 1108 to the Committee on Judiciary, I rise to oppose the motion and ask that it be voted down.

Mr. BOWMAN. Mr. Speaker, I was rather interested to hear the motion that it is to be referred to the Committee on Judiciary. I merely am making an inquiry as to whether those men who are so learned in the law are learned in education, and more particularly whether they know anything about raising money.

Mr. SHERMAN. Just a one or two sentence reply, Mr. Speaker.

I had not intended to reply, but I think the challenge from Mr. Bowman should not be left unanswered.

I assure you that in my district we are greatly interested in the field of education, that I myself am greatly interested in that field, and that both I, along with the Judiciary Committee, the Chairman of the Education Committee is on the Judiciary Committee, and other members who are very well learned in the field of education are on that committee, and for that reason I request the reference to that Committee.

Mr. A. W. JOHNSON. Mr. Speaker, I am asking the Members on our side of the House to vote no on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

A division was called for, less than a majority of the Members having voted in the affirmative, the question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House agree to Section 1.

It was agreed to.

The second to eighth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

The SPEAKER. The Chair desires to state that on that last roll call, the Chair tabulated the vote and miraculously he was absolutely right, and so the decision finally rested is the lap of the Chairman, and do not do that again.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1479, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof * * *" providing for the payment of expenses related to investments from interest earnings on the fund.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

BIRTHDAY OF MEMBER

The SPEAKER. The Chair understands this is the birthday of the gentleman from Venango, Mr. Gramlich, who has given the Parliamentarian or somebody a nice birthday cake. He is giving everybody in the House a birthday cake. Therefore, we suggest the gentleman from Delaware rise and salute the gentleman from Venango on his birthday.

The Members joined with Mr. Dengler in singing "Happy Birthday."

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Gramlich.

Mr. GRAMLICH. Thank you, Mr. Speaker. You do not mind my singing my part "Happy Birthday to me." That was last week, but you know, Mr. Speaker, I do appreciate it, as I have been waiting for this for four Sessions, and this is the first time.

I think I am going to digress or maybe I am going to say something different than has usually been said, and that is this—everyone is called upon when asked how old are you? Says about 39. Well I am going to tell you the truth, it is not 39 or 49 or 59 or 69. It is three score and ten. Thank you very much for calling upon me.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. A. W. JOHNSON offered the following amendment:

Amend Sec. 1 (Sec. 1372), page 3, line 12, by inserting after "confinement" "if their confinement exceeds or is expected to exceed ten days."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2 (Sec. 302), page 3, line 9, by adding after "board." "All such contributions shall be credited in equal amounts to the employees' annuity savings account and the contingent reserve account."

It was agreed to.

The section was agreed to as amended.

The third to seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 132, entitled:

An Act authorizing the Department of Public Welfare with the approval of the Board of Trustees of the Hollidaysburg State Hospital to contract with the Borough of Hollidaysburg and the Hollidaysburg Sewer Authority for improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Hollidaysburg State Hospital and the payment of part of the cost and maintenance thereafter and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 227, entitled:

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * *" changing provisions relating to the contents of the Legislative Journal.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1168, entitled:

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investment for certain purposes and indicating how the act shall become effective.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as amended, House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, * * * certain state officers, and the salary and expenses of the members of the General Assembly, * * *," changing time for payment of certain portions of salary and expenses.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2430, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining documents to exclude certain repossessions following defaults in purchase obligations.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2431, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of any person securing a loan be insured by a particular insurance company agent or broker.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

Mr. MUSTO from the Committee on Rules, reported as committed, Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2430, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining docu-

ments to exclude certain repossession following defaults in purchase obligations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2431, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of any person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily.

Mr. LOPRESTI IN THE CHAIR.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 460, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third * * * and eighth classes" changing certain fees.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Galley,	Lutty,	Pursley,
Anderson,	Gallagher,	McCandless,	Reibman,
Arlene,	Garlock,	McCann,	Reidenbach,
Ashton,	Gelfand,	McCormack,	Renwick,
Balthaser,	George,	McDonald,	Rigby,
Barton,	Gibb,	McInroy,	Riley,
Bell,	Goldstein,	McKeever,	Rovanssek,
Blair,	Goodrich,	McLaughlin,	Royer,
Bonner,	Gramlich,	Machmer,	Sakulsky,
Boris,	Guthrie,	Magee,	Scarcelli,
Bower,	Hamilton,	Mahan,	Schuster,
Bowman,	Heavey,	Markley,	Schwartz,
Branca,	Heffner,	Maxwell,	Sherman,
Brenninger,	Henzel,	Meholchick,	Shupnik,
Breth,	Hocker,	Merry,	Snare,
Brown,	Holliday,	Mihm,	Snider,

Capitolo, Cianfrani, Cloff, Clarke, Comer, Crossin, Curwood, Davis, Dangler, Dennis, Dennison, Devlin, Donaldson, Donahue, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer,	Holt, Horst, Irvie, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard,	Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Stank, Steckel, Stevens, Stewart, Stimmel, Stoner, Sullivan, Thompson, Tompkins, Trusio, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Whittaker, Willard, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Wynd, Yetter, Zimmerman, Andrews, Speaker
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NAYS—3

Auker, Weldner, Worley.

NOT VOTING—18

Botes, Buchanan, Burns, Capano, Cooper,	Frascella, Helm, Moran, Rudisill, SchAAF,	Seltzer, Silverman, Stone, Strausser,	Stroup, Taylor, Ujobal, Yatron,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands.

RECONSIDERATION OF VOTE

Mr. BRETH. Mr Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Messrs. BRETH and ZIMMERMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1802), page 3, line 18, by inserting after "interior": "lands and."

Amend Sec. 1 (Sec. 1802), page 3, line 19, by striking out "IN" and inserting: "in."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Ageeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1963, entitled:

An Act amending the act of December 22, 1951 (P. L. 1715) entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings "removing the maximum limitation on salaries of councilmen.

RECONSIDERATION OF VOTE

Mr. DEVLIN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 2, page 2, lines 15 and 16, by striking out all of said lines.

Mr. GOLDSTEIN. We rise to oppose these amendments. The amendments contemplate a new theory in financial responsibility insofar as the councilmen of the city of Pittsburgh are concerned.

The amendments contend that those councilmen who were elected prior to 1959 shall receive an increase in salary beginning January 1, 1960. When the five hold-over councilmen were elected in 1957 they entered into a solemn contract with the taxpayers of Pittsburgh that they would be satisfied with a salary of \$10,000 or less. They are now asking the Members of the Legislature to give them an increase of \$2,600, contrary to their contract with the taxpayers.

This is something that has never been done so far as Pittsburgh is concerned, and I would like to protect our taxpayers and I ask you to vote against this particular amendment.

Mr. DEVLIN. Mr. Speaker, the amendment does nothing other than take away the requirement that they had to be elected or sworn into office prior to January 1, 1960. In other words, when we discussed this bill on second or third reading, we brought out the fact that the council was being given the right, if it saw fit, to raise its own salaries.

At that time there was objection because there was no ceiling put on it. Then after consultation it was agreed to give council the right to raise its own salary up to the level of cabinet officers in the same city, \$12,600. Now the decision is still theirs. I do not see that the amendment proposed has any effect on the bill itself other than to remove the requirement as to those taking office prior to January 1, 1960.

Mr. GOLDSTEIN. Will the gentleman from Allegheny, Mr. Devlin, consent to be interrogated?

Mr. DEVLIN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. To make the purpose of the amendment clear, is it not true that if this amendment were not

passed, the five councilmen who were not elected last week would receive a salary of \$10,000 during the remainder of their term?

Mr. DEVLIN. To make the amendment clear, Mr. Speaker, the nine members of Council could by majority vote pass for themselves a raise up to the cabinet level of \$12,600. We are merely raising the limit on their salary that we have set before.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Allegheny answer my question? If this amendment is not passed, then the five councilmen who were not up for reelection last week will continue to receive \$10,000?

Mr. DEVLIN. I am not certain about that.

Mr. GOLDSTEIN. Then what is the purpose of the amendment, Mr. Speaker?

Mr. DEVLIN. The purpose of the amendment is to have all nine members of council in the same category.

Mr. GOLDSTEIN. Not to be evasive, then if this amendment is not passed, the five councilmen who were not elected last week will still get \$10,000 a year instead of \$12,600 as provided under this contemplated act?

Mr. DEVLIN. I think that the five councilmen who were reelected last week would have the majority vote on a councilmanic election to decide whether or not the raise would be granted to the members of Council.

That is my interpretation of it.

Mr. GOLDSTEIN. I thank the gentleman, Mr. Speaker.

If the purpose of this amendment is as meaningless as indicated, then let us not have the amendment, because the purpose of the amendment clearly is to make it legal, so that the five members of council who were elected in 1957 will get a \$2600 raise when they told the taxpayers they were satisfied with \$10,000.

This argument about cabinet status and cabinet pay has no merit. We have many men in the Commonwealth of Pennsylvania who do less work than a legislator and they get more pay. Therefore, the only question now is whether or not you should change the rules in the middle of the stream for these particular five councilmen, all of whom are friends of mine, but the taxpayers are closer.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. GOLDSTEIN and WILT and were as follows:

YEAS—96

Anderson,	Garlock,	Maxwell,	Reibman,
Arlene,	Gelfand,	Meholchick,	Reldenbach,
Balthaser,	Hamilton,	Mihm,	Renwick,
Bonner,	Heavey,	Mills,	Riley,
Branca,	Holt,	Monroe,	Rovansek,
Breth,	Irvls,	Muldowney,	Sakulsky,
Capitolo,	Jenkins,	Mullen,	Scarcelli,
Cianfrani,	Jim,	Munley,	Schuster,
Cioffi,	Jones, F. R.,	Murphy, A. J., Jr.,	Schwartz,
Clarke,	Kamyk,	Murray, J. J.,	Sherman,
Comer,	Kornick,	Musto,	Shupnik,
Crossin,	Kovolenko,	Needham,	Snider,
Curwood,	Lamb,	Nelson,	Stank,
Dennis,	Leonard,	O'Donnell, J. A.,	Sullivan,
Devlin,	Limper,	O'Donnell, J. P.,	Trusio,
Dougherty,	Lopresti,	O'Neil,	Varallo,
Elberg,	Luigard,	Parlante,	Verona,
Filo,	Lutty,	Pashley,	Walsh,
Fineman,	McCann,	Perry, H. H.,	Wargo,
Floyd,	McCormack,	Perry, P. E.,	Welsh,
Flynn,	McDonald,	Petrosky,	Wheeler,
Foerster,	McKeever,	Polaski,	Yetter,
Frank,	McLaughlin,	Polen,	
Galley,	Machmer,	Prendergast,	Andrews,
Gallagher,			Speaker

NAYS—92

Agnew,	Fox,	Korns,	Royer,
Ashton,	Fulmer,	Kubitsky,	Snare,
Auker,	George,	Lee, A. M.,	Steckel,
Barton,	Gibb,	Lee, K. B.,	Stevens,
Bell,	Goldstein,	Lippincott,	Stewart,
Blair,	Goodrich,	McCandless,	Stimmel,
Boris,	Gramlich,	McInroy,	Stoner,
Bower,	Guthrie,	Magee,	Thompson,
Bowman,	Heffner,	Mahan,	Tompkins,
Brenninger,	Henzel,	Markley,	Varnier,
Brown,	Hocker,	Merry,	Wall,
Davis,	Holliday,	Miller, B. Z.,	Weldner,
Dengler,	Horst,	Miller, H. G.,	Wescott,
Dennison,	Isaacs,	Murphy, P. J.,	Whittaker,
Donahue,	Johnson, A. W.,	Murray, H. P.,	Williams, A. D., Jr.,
Donaldson,	Johnson, R.,	Murray, P. G.,	Williams, E. S.,
Down,	Jones, T. H. W.,	Naugle,	Willard,
Edwards,	Jump,	O'Dell,	Willaredt,
Eshback,	Kee,	Odorisio,	Wilt,
Eshleman,	Kelser,	Ogilvie,	Wood,
Ewing,	Kernaghan,	Price,	Worley,
Farabaugh,	Kessler,	Pursley,	Wynd,
Fetterolf,	Kooker,	Rigby,	Zimmerman,

NOT VOTING—20

Boles,	Frascella,	Rudisill,	Strausser,
Euchanan,	Helm,	Schaaf,	Stroup,
Burns,	Knecht,	Seltzer,	Taylor,
Capano,	Light,	Silverman,	Ujobal,
Cooper,	Moran,	Stone,	Yatron,

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 1976, Printer's No. 1836 was passed over at the request of the Speaker pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2044, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents and transactions providing for determination of deficiencies redetermination reviews and appeals therefrom imposing duties upon the Secretary of the Commonwealth and conferring additional power and duties upon the Department of Revenue.

On the question,

Shall the bill pass finally?

Mr. A. D. WILLIAMS. Mr. Speaker, I would just like to remind the Members, at least on this side of the House, and I hope some on the other side of the House, that this is the bill, House Bill 2044, for which I offered three amendments which were defeated two or three weeks ago. I ask the Members on this side to vote against this bill.

This bill is in effect a tax raising measure, which has not been considered by this House as such. It gives the Department of Revenue power it has never had before, I do not feel it is fair to the people of Pennsylvania, especially in view of our many speakers saying that we are trying to encourage industry to locate here in Pennsylvania. A bill such as this would have the opposite effect.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—97

Anderson,	Gallagher,	Maxwell,	Reibman,
Arlene,	Garlock,	Meholchick,	Reidenbach,
Balthaser,	Gelfand,	Mihm,	Renwick,
Bonner,	Hamilton,	Mills,	Riley,
Branca,	Heavey,	Monroe,	Rovansek,
Breth,	Holt,	Muldowney,	Sakulsky,
Capitolo,	Irviss,	Mullen,	Scarcelli,
Cianfrani,	Jenkins,	Munley,	Schuster,
Cioffi,	Jim,	Murphy, A. J., Jr.	Schwartz,
Clarke,	Jones, F. R.,	Murray, J. J.,	Sherman,
Comer,	Kamyk,	Musto,	Shupnik,
Crossin,	Kornick,	Needham,	Snider,
Curwood,	Kovolenko,	Nelson,	Stank,
Dennis,	Lamb,	O'Donnell, J. A.,	Sullivan,
Devlin,	Leonard,	O'Donnell, J. P.	Varallo,
Dougherty,	Limper,	O'Neill,	Verona,
Ellberg,	Lopresti,	Parlante,	Walsh,
Farabaugh,	Lulgard,	Pashley,	Wargo,
Filo,	Lutty,	Perry, H. H.,	Welsh,
Fineman,	McCann,	Perry, P. E.,	Wheeler,
Floyd,	McCormack,	Petrosky,	Yetter,
Flynn,	McDonald,	Polaski,	
Foerster,	McKeever,	Polen,	
Frank,	McLaughlin,	Prendergast,	Andrews,
Galley,	Machmer,		Speaker

NAYS—91

Agnew,	Fulmer,	Korns,	Snare,
Ashton,	George,	Kubitsky,	Steckel,
Auker,	Gibb,	Lee, A. M.,	Stevens,
Barton,	Goldstein,	Lee, K. B.,	Stewart,
Bell,	Goodrich,	Lippincott,	Stimmel,
Blair,	Gramlich,	McCandless,	Stoner,
Boris,	Guthrie,	McInroy,	Thompson,
Bower,	Heffner,	Magee,	Tompkins,
Bowman,	Henzel,	Mahan,	Varner,
Brenninger,	Hocker,	Markley,	Wall,
Brown,	Holliday,	Merry,	Weldner,
Davis,	Horst,	Miller, B. Z.,	Wescott,
Dengler,	Isaacs,	Miller, H. G.,	Whittaker,
Dennison,	Johnson, A. W.,	Murphy, P. J.,	Williams, A. D., Jr.,
Donahue,	Johnson, R.,	Murray, H. P.,	Williams, E. S.,
Donaldson,	Jones, T. H. W.,	Murray, P. G.,	Willard,
Down,	Jump,	O'Dell,	Willaredt,
Edwards,	Kee,	Odorisio,	Wilt,
Eshback,	Kelser,	Ogilvie,	Wood,
Eshleman,	Kernaghan,	Price,	Worley,
Ewing,	Kessler,	Pursley,	Wynd,
Fetterolf,	Knecht,	Rigby,	Zimmerman,
Fox,	Kooker,	Royer,	

NOT VOTING—20

Boies,	Frascella,	Rudisill,	Strausser,
Buchanan,	Helm,	Schaaf,	Stroup,
Burns,	Light,	Seltzer,	Taylor,
Capano,	Moran,	Silverman,	Ujober,
Cooper,	Naugle,	Stone,	Yatron,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 2171, Printer's No. 1842

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank trust companies.

On the question,
Shall the bill pass finally?

Mr. GELFAND. Mr. Speaker, I rise in opposition to this legislation. I would point out to Members of the House that this piece of legislation was acted upon by the House on September 30, 1959, and at that time it was defeated by the resounding vote of 98 to 88. The purpose of this legislation and the function it performs is just as bad today as it was a few weeks ago. It would create a new type of credit in the Commonwealth and would permit banks to make loans on a revolving credit plan which would be inimical to the good responsibilities of credit financing. I would suggest that we vote it down resoundingly.

At the time we discussed this bill before, I read a letter from the Department of Banking of the State of Ohio in which they indicated that they were strongly opposed to this type of legislation because it would be harking back to unwise banking policies which we had long forgotten, the type of banking policies which led to the depression and bank losses of 1929.

Some people in the House, when we debated this bill a couple of weeks ago, indicated that there was no danger in this type of lending and that actually all it did was establish a line of credit for people similar to the lines of credit which are established for businesses. However, the very fact that it establishes a line of credit is a danger that is incumbent in it. What happens is an individual goes into a bank, makes an application to receive this type of credit, and sometime in the future, without the bank making any further check on the individual's ability to pay, the individual can then resort to the utilization of this type of credit financing.

The bill since we last had it was amended to reduce the amount of interest that would be payable upon this type of revolving credit. However, although the bill was amended to reduce the amount of interest that would be charged from 12 percent per annum to 9 percent per annum, as it presently reads the interest rates would still be injurious insofar as this Commonwealth is concerned. It would place banks in the same type of lending service and offer the same type of lending facilities from banks that small loan companies presently offer. But in addition to the fact that it would allow banks to lend in the same manner, it would allow the banks to make increased charges, such as charges for attorney fees, for recording the documents and for life insurance.

However, although I am in great disagreement with the need for this type of legislation, and I feel that the interest rate charges are too high, that is not the basic reason I am opposed to it. I am opposed to it because it is dangerous; I am opposed to it because it endangers the savings that people put in banks. I believe it allows banks an extension into unwise credit financing. I think we should do the same thing today that we did a couple of weeks ago, that is, defeat this bill resoundingly. I suggest that we all vote against it instead of just 88 of us.

Mr. SHERMAN. Mr. Speaker, we are voting at the present time on Senate Bill 810, an important bill for the consideration of the House, which was defeated on prior roll call.

It is my policy to be against banking institutions when they attempt to in some way or other take over what I consider the poor and middle class of the state of Penn-

sylvania; also when they intend to engage in gambling activities and increase the amounts of interest to be charged against the poor and middle class.

Considering this bill piecemeal, it states specifically that it increases the rate of interest by 50 percent, from 6 to 9 per year. Secondly, the bill provides, which the law does not provide at the present time, payment of ten cents for each request for payment or credit, or for each check, in addition.

Also, the bill provides, in addition to the two things mentioned, that you have to pay for insurance as security for said loan. That, my friends, is not enough; it also provides for fees paid to any public officer for filing or releasing any liens. And if that is not enough, it provides for the actual expense, including attorney fees. It does not state in what amount. It does not limit the attorney fees, including the attorney fees just merely to secure this loan.

I submit that even the small loan companies are not permitted under our law to charge any attorney fees. Considering the fact that this bill provides that our banks, against the poor and middle class or anyone who comes in for a loan, are permitted to charge all these fees and expenses, I say let's defeat this bill.

Mr. GAILEY. Mr. Speaker, Members of the House, I do not want to prolong the debate on this bill, but I would like to make one point which has not already been made in regard to this bill and to re-emphasize one other.

First, I have been reliably informed that the reason, of course, for this bill is that the banks, because of the extra risk they run on this kind of loan, need extra money. Well, I would like to advise the Members of the House that I have been advised there has not been a national bank in the Commonwealth of Pennsylvania that last year failed to pay at least a 20 percent dividend on invested capital. That is a pretty good return. It seems to me they are making just about as much money as they ought to under our present economy.

The second point I would like to emphasize is this one with regards to reasonable attorneys' fees. I think if any bill we have had here this year could be called a lawyer's bill this is one. Even on judgment notes, lawyers' fees for collection are limited usually to 10 percent. There is no limitation on this at all. I do not think I need to tell the Members of the House, as a lawyer myself that between lawyer and client, or between the lawyer and the person from whom he is collecting the definition of "reasonable" can be open to question. I think this is bad legislation. The House defeated it once, and I ask all the Members of the House to join in voting this bill down.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Gelfand.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Gelfand, permit himself to be interrogated?

Mr. GELFAND. I chall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I might say by way of prefatory remarks, I was inclined to be for this bill. There certainly must be some merit in the bill in that it would facilitate banking and make possible the easier performance of credit transactions, the interchange of goods, so I would just like to ask Mr. Gelfand who

seems to be prepared the best on it, it calls for, I believe, an agreement to be entered into between the bank and the customer. Is that correct?

Mr. GELFAND. That is superficially correct.

Mr. A. W. JOHNSON. In other words, a customer who is doing business with the bank would come into the bank either in the business of buying automobiles or buying appliances or in the construction business or something and wants a line of credit with the bank. Is that correct?

Mr. GELFAND. Mr. Speaker, that is not correct. The person who makes the application for credit does not have to be either a customer or a depositor in the bank. The person can be an individual who is completely unknown to the bank and he needs to make no other transaction with the bank.

Mr. A. W. JOHNSON. Well, since I am in the banking business myself in a country town, I want to assure you that whoever we give a line of credit to, we certainly know who they are—they are customers of the bank, they have established a rating with us where we have confidence in them.

Mr. GELFAND. Mr. Speaker, am I being interrogated, or is Mr. Johnson delivering a speech in favor of the legislation?

Mr. A. W. JOHNSON. Well, I will take your answer for it. Would you say that the average person getting this type of credit would be a person who would be a customer of the bank?

Mr. GELFAND. Mr. Speaker, as regards to the inquiry, I can only speak about Philadelphia, and whatever check I have made pertaining to this legislation has led me to believe conclusively that people who make this type of loan are not necessarily customers of the bank with which they do this, from which they get the loan.

Mr. A. W. JOHNSON. All right. Now, supposing a person walked into a Philadelphia bank and wants to engage in this type of transaction. What would a responsible Philadelphia bank do before they entered an arrangement of this kind.

Mr. GELFAND. To the responsible Philadelphia bank, —I hate to use the word responsible,—I will say the Philadelphia banks are advertising in all the newspapers in the city with form applications in the newspaper advertisements offering this service to everybody who reads the newspaper. All you need do is fill the application, send it to the bank, and the bank will then send you another application, a formal application, which you need sign and send back to the bank. The formal application which the banks sends you asks your name and address, place of employment, and whether or not you have credit in any of the stores in the city of Philadelphia, and they make inquiries as to your income.

Mr. A. W. JOHNSON. Is that it?

Mr. GELFAND. Yes.

Mr. A. W. JOHNSON. Do I infer then that the Philadelphia banks are already engaging in this type of enterprise?

Mr. GELFAND. Mr. Speaker, you infer properly. The Philadelphia banks are engaged in this type of operation. They do so, but under the proposition that they are not exactly sure as to whether or not they are acting lawfully, and they have made an inquiry of the Department of Banking in Harrisburg, and the Department has also advised them that they are not sure of the legal status

of this operation. The purpose of this legislation is just to legalize something which they are not sure is legal and I think it is the type of thing that should be forbidden or prohibited rather than permitted.

Mr. A. W. JOHNSON. Mr. Speaker, do you know if the state banks are doing this with the approval of the Pennsylvania Department of Banking?

Mr. GELFAND. Mr. Speaker, the information I have leads me to believe that they are doing it with the knowledge of the Department of Banking, but not with the permission nor with any direction from the Department of Banking that it is lawful.

Mr. A. W. JOHNSON. Do you have any records, Mr. Speaker, of any unusual losses occurring to the bank because of this type of operation?

Mr. GELFAND. I have no such records because they have only started this type of operation with the last two months and have issued no reports on it. However, I would say this, that in the State of Ohio the Department of Banking has expressly forbidden it because of the dangers they feel are incumbent in it.

Mr. A. W. JOHNSON. Now you say that a person, once they have finally applied to the bank, does not the credit department of the bank's investigation show credit sources and ask for a financial statement as to what their assets are and really have to go through the same thing that an ordinary borrower would go through with the bank and all that?

Mr. GELFAND. Mr. Speaker, I know that a borrower under this proposition is not required to sign a note, is not required to place any collateral. There is nothing put up in security for this type of loan and the only thing they request is information which they get directly from the person who is making the application. He makes no formal statement as to his assets or liabilities; just a verbal inquiry is made and an oral statement as to what his earnings are, are satisfactory.

Mr. A. W. JOHNSON. I might comment on that. If it is true, it really is an amazing situation. Do you mean to say that they do not sign any agreement or they do not confess judgment or do anything like that?

Mr. GELFAND. I do mean to say that, sir. I mean to say that they sign an application, which is against their responsibility, but they make no note, and they offer no collateral.

Mr. A. W. JOHNSON. How about in the matter of default of payment. How would the bank under Pennsylvania law collect?

Mr. GELFAND. That is the danger incumbent in the whole situation.

Mr. A. W. JOHNSON. There being no confession of judgment nor any security devices under the Commercial Code, would the bank resort to an action of assumpsit or a suit in common pleas and try to get judgment, is that correct?

Mr. GELFAND. Some banks of necessity would have to do that. Other banks do have notes, I am advised.

Mr. A. W. JOHNSON. Do you know if there are any suits pending in any of the courts in Pennsylvania where this type of lending has gone on, where all the bank had was a letter and an informal agreement that they would let them have the money?

Mr. GELFAND. Mr. Speaker, that is why I am opposing the bill, because I do not like it. I think it is too loose.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, of course I am amazed at what the gentleman has said about the practice in Philadelphia. You would have to show me that that is the loose way in which Philadelphia's banks are running their business. I do not want to say the member is not informed on what is going on, but it seems to me that in this complex commercial age it certainly would be a great facility to the business public, and I am thinking now of automobile dealers, who have to drive hundreds of miles to a branch plant to buy their cars at wholesale, to be able to give checks from a line of credit established at a bank pursuant to an agreement entered into, a formal agreement properly signed with a confession of judgment clause in it and all the things that go to protect banking. It seems to me that a system like this would be a good thing for the banking community and for business.

Of course, if what you say is true, that the bankers of Philadelphia are closing their eyes and are just loaning money willy-nilly, I may write them a letter myself. I have just been through a campaign. It might be interesting to see whether they would send me a blank check. You are, in effect, saying that is what is going on in Philadelphia. I challenge that. I would be very interested in it. I think the bill has merit and I believe that the banks, if they properly handle it with proper safeguards, credit ratings and so forth, would greatly facilitate the transaction of commercial affairs in the state. Maybe you are right but it does not sound plausible to me, Mr. Gelfand. I am not saying you exaggerated merely but I am amazed at your answer.

Mr. GELFAND. I know some things sound amazing when they are said, but unfortunately that is the way things are at times. However, I would like to point out to the Members of the House that one of the real dangers, beside the others which we have already discussed here, is the fact that a person can get this type of credit today on the basis of an application he makes today. It is not necessary for him to make any borrowing against this type of credit. But six months later when his financial circumstances have changed completely, and when he may be completely unable to make any repayments at that time, by virtue of the application he makes today he may borrow money and it would be a completely unsecured loan with no collateral behind it, and because of that it is dangerous.

I would just, as repetition, repeat certain paragraphs from a letter I read a couple weeks ago. I think it is important that we have this in mind when we vote on this legislation. This came from the State of Ohio, Department of Banking, and it said, when inquiries were made about this particular type of credit financing,

For the past ninety days this office has had under consideration plans purposed to be new ideas in credit extension and additional banking services."

Mr. Speaker, I would appreciate it if the Minority Leader would listen to this inasmuch as he did not hear it before and I think it might be important for him to have it in mind.

"The conclusion of this office is that they are

just warmed-over ideas camouflaged to circumvent the laws and decisions of the courts that were enacted and rendered as a result of the unsafe and unsound practices of the Roaring Twenties. These plans and ideas have been given new names, but a "rose is just as sweet by any other name." For example, the revolving credit plan is basically nothing more than an extension of credit by overdrafts. Overdrafts have been declared illegal by the courts and practices of permitting overdrafts have been consistently criticized by both state and notional supervisory authorities.

"Revolving credit is a banker's jargon for a perpetual loan. The practice of permitting perpetual loans by demand notes and notes without a definite repayment program and which will not clear within a reasonable period of time is not considered to be in keeping with sound credit policies. Revolving credit plans are deemed to be in this same category.

"These innovations in banking are not considered to be in the best interest of the public for various reasons, the principal one being the cost of the plan to the consumer is tainted with ursury.

In considering these various plans, bankers have argued that they need to take their services to the people; also the large eastern banks have placed such plans in operation and they just have to be good. That rings a familiar bell! It will be remembered that a similar song was sung in the Roaring Twenties.

This office agrees that banks should improve their services but it should not be done by adopting unsafe and unsound loaning policies and practices."

I again repeat we should defeat this bill resoundingly.

Mr. SCHWARTZ. Mr. Speaker, I voted in favor of this bill on September 30th, but I intend to vote aye in favor of the bill again today. I stated my reasons at that time and would like to state my reasons again.

To me it is a question of the small borrower. Where would he be better off? Going to the bank under this particular bill or going to a small loan company? It seems to me that you must come to one answer and one answer only. Although there may be some objectionable features in this bill, he would still save money by going to the bank under this particular bill. The interest rate would be much less than if he went to a small loan company.

Therefore, I am going to vote in favor of the bill and I request that all Members vote in favor of the bill.

On the question recurring,

Shall the bill pass nfiably?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Agnew,	Fox,	Leonard,	Prendergast,
Anderson,	Frank,	Light,	Price,
Arlene,	Fulmer,	Lippincott,	Pursley,
Ashton,	Gallagher,	Lopresti,	Reidenbach,
Auker,	Garlock,	Luigard,	Renwick,
Balthaser,	George,	Lutty,	Rigby,
Barton,	Gibb,	McCandless,	Riley,
Bell,	Goldstein,	McCann,	Royer,
Blair,	Goodrich,	McDonald,	Scarcelli,
Boris,	Gramlich,	McInroy,	Schuster,
Bower,	Guthrie,	McLaughlin,	Schwartz,
Bowman,	Hamilton,	Machmer,	Snare,
Brenninger,	Heavey,	Magee,	Snider,
Breth,	Heffner,	Mahan,	Stank,
Brown,	Henzel,	Markley,	Steckel,
Capitolo,	Hocker,	Maxwell,	Stevens,
Cianfrani,	Holliday,	Meholchick,	Stimmel,

Cloff,	Holt,	Merry,	Stoner,
Clarke,	Horst,	Mihm,	Sullivan,
Comer,	Irvie,	Miller, H. G.,	Thompson,
Crossin,	Isaacs,	Mills,	Tompkins,
Curwood,	Jenkins,	Monroe,	Trusio,
Davis,	Jim,	Mullen,	Varnar,
Dengler,	Johnson, A. W.,	Murphy, A. J., Jr.,	Verona,
Dennis,	Johnson, R.,	Murphy, P. J.,	Wall,
Devlin,	Jones, F. R.,	Murray, H. P.	Walsh,
Donahue,	Jones, T. H. W.,	Murray, J. J.,	Wargo,
Donaldson,	Jump,	Murray, P. G.,	Weidner,
Dougherty,	Kamyk,	Musto,	Wescott,
Down,	Kee,	Naugle,	Wheeler,
Edwards,	Kelser,	Nelson,	Whittaker,
Eshback,	Kernaghan,	O'Dell,	Williams, A. D., Jr.,
Eshleman,	Kessler,	O'Donnell, J. A.,	Williams, E. S.,
Ewing,	Knecht,	Odoristo,	Willard,
Fetterolf,	Kooker,	Ogilvie,	Willaredt,
Fillo,	Korns,	Parlante,	Wilt,
Floyd,	Kovolenko,	Perry, P. E.,	Wood,
Flynn,	Kubitsky,	Petrosky,	Wynd,
Foerster,	Lamb,	Polaski,	Yetter,
	Lee, K. B.,	Polen,	Zimmerman,

NAYS—31

Bonner,	Kornick,	Needham,	Sherman,
Branca,	Lee, A. M.,	O'Donnell, J. P.,	Shupnik,
Dennison,	Limper,	O'Neill,	Stewart,
Ellberg,	McCormack,	Pashley,	Varallo,
Farabaugh,	McKeever,	Perry, H. H.,	Welsh,
Fineman,	Miller, B. Z.,	Reibman,	Worley,
Gailey,	Muldowney,	Rovansek,	Andrews,
Gelfand,	Munley,	Sakulsky,	Speaker

NOT VOTING—18

Boles,	Frascella,	Seltzer,	Stroup,
Buchanan,	Helm,	Silverman,	Taylor,
Burns,	Moran,	Stone,	Ujobai,
Capano,	Rudisill,	Strausser,	Yatron,
Cooper,	Schaaaf,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REPORT FROM COMMITTEE

Mr. MAHAN from the Committee on Counties, reported as committed, Senate Bill No. 827, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for payment of certain county treasurers' fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

BILL ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bill was read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 827 entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for payment of certain county treasurers' fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I would like to amend bills which have been agreed upon so that they would be in print for tomorrow.

BILL ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 184 on page 8 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting brackets before "Be" and after "no" and inserting immediately thereafter

(a) No

Amend Sec. 1 (Sec. 1), page 3, by inserting between lines 2 and 3

(b) The provisions of subsection (a) hereof in so far as they relate to radio or television stations shall not apply unless the radio or television station maintains and keeps open for inspection for a period of at least two years an exact recording, transcription, kinescopic film or certified written transcript of the actual broadcast or telecast.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time. Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2428 on page 11 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

On the question,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 404.1) page 2, line 4 by inserting after "department": "after consultation with and receiving the advices of the secretaries of Pennsylvania associations representing highway constructors and other parties in interest who have notified the Secretary of Highways, in writing, of such interest."

Amend Sec. 1 (Sec. 404.1), page 2, line 5 by inserting after "establish": "and may from time to time modify or supplement."

Amend Sec. 1 (Sec. 404.1), page 2, line 6 by inserting after "projects": "and furnish to such secretaries and others in interest copies of such regulations."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 82 on page 11 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 82, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments by the Superintendent of Public Instruction to certain designated depositories.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mrs. REIBMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 1182 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "bank" "or body part bank."

Amend Sec. 1, page 1, line 3, by inserting after "bank" "or body part bank."

Amend Sec. 2, page 2, line 9, by inserting after "bank" "or body part bank."

Amend Sec. 3, page 2, line 13, by inserting after "bank" "or body part bank."

Amend Sec. 3, page 2, line 17, by inserting after "decedent" "After the removal of such material the remains of the decedent not so removed shall be the responsibility of the person or persons otherwise entitled to control the disposition of the remains of such decedent."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection, the remaining bills on today's calendar not so considered were passed over at the request of Mr. McCANN.

BILLS INTRODUCED AND REFERRED

By Messrs. BOIES and FILO.

HOUSE BILL No. 2437.

An Act abating certain tax penalties, interest and costs on county, city, (except city of the first class), borough, town, township, school district (except school district of the first class), and institution district taxes; * * *.

Referred to the Committee on Rules.

By Messrs. FILO and BOIES.

HOUSE BILL No. 2438.

An Act abating certain penalties, interest and costs on city and school taxes in cities of the first class and school districts of the first class.

Referred to the Committee on Rules.

By Messrs. DAVIS and GRAMLICH.

HOUSE BILL No. 2439.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for payment for game damage to field produce by the Department of Agriculture, and making an appropriation.

Referred to the Committee on Rules.

By Messrs. DEVLIN, GOLDSTEIN and WILT.

HOUSE BILL No. 2440.

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall receive mileage.

Referred to the Committee on Rules.

By Messrs. DEVLIN, GOLDSTEIN and WILT.

HOUSE BILL No. 2441.

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout

the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation, providing that all witnesses be paid mileage.

Referred to the Committee on Rules.

By Messrs. DEVLIN, GOLDSTEIN and WILT.

HOUSE BILL No. 2442.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the swearing to and affirming of certain informations charging summary offenses, and the filing of such informations with courts having jurisdiction thereof.

Referred to the Committee on Rules.

By Messrs. McCANN, DOUGHERTY, BRETH, DEVLIN, TOMPKINS, A. W. JOHNSON, WOOD and BOWER.

HOUSE BILL No. 2443.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the preparation of the budget in accordance with the recent constitutional amendment.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 453.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

Referred to the Committee on Rules.

SENATE BILL No. 1186.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the sale of surplus personal property by boards of school directors.

Referred to the Committee on Rules.

SENATE MESSAGE

RECALLING SENATE BILL No. 304 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 9, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 304, Printer's No. 329, entitled "An act amending the act of July 28, 1953 (P. L. 723), entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' providing for the creation of capital reserve funds for capital expenditures," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

The SPEAKER pro tempore laid before the House the report of the Committee of Conference on House Bill No. 623.

The report was laid over for printing under the Rules.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-46, Tuesday, November 10 at 11:30 a. m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, November 10 at 9:15 a. m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Tuesday, November 10 at 11:00 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D, Tuesday, November 10 at 10:00 a. m.

LAW and ORDER, Mr. Mills, Chairman, Room 522, Tuesday, November 10 at 11:30 a. m.

ADJOURNMENT

Mr. H. P. MURRAY. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 10, 1959 at 12:00 o'clock noon EST.

The motion was agreed to, and (at 7:45 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, NOVEMBER 10, 1959.

No. 108.

SENATE

TUESDAY, NOVEMBER 10, 1959.

The Senate met at 11:30 o'clock, a. m., Eastern Standard Time.

PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The Chair wishes to state that he is presiding at the request of the President pro tempore of the Senate, M. Harvey Taylor.

PRAYER

The Chaplain, FATHER JOHN F. CULLINAN, Pastor of St. Michael's Catholic Church, Hollidaysburg, offered the following prayer:

Almighty God, our Father in Heaven, as we take up our daily deliberations, grant us never to forget Thy presence in our midst and in our very hearts, or Thy love.

When the children of Israel wandered in the wilderness, Thou didst never forget them. In the midst of harsh trials, Thy children wandered not, nor were they ever abandoned. When they thought of Thee, they prospered and were strong. So, Heavenly Father, let us, in our journey, not forget that Thou hast in store for us a glorious end. Let us do all things with this end in mind. Let us never close to Thee the dwelling place that Thou dost desire in our minds and in our hearts, and shall we always be united to Thee and, through Thee, united with one another.

In Thy Name we pray, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 9, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1959 (P. L. 728),

entitled "Second Class County Code," providing for the creation of capital reserve funds for capital expenditures, be recalled from the Governor for the purpose of amendment.

SENATE BILL No. 644 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 810 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the lending of money by banks and bank and trust companies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 882 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class, by cities of the second class, by cities of the second class A, by cities of the third class, by boroughs or by townships of the first or second class; . . ." authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises, to shut off water thereto without prior request or assignment of claim or lien from the authority.

with the information that the House has passed the

same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 911 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427), entitled "Criminal Procedure Act of 1860," further regulating setting prisoners at liberty on bail, in counties of the second class.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 145

He also returned to the Senate, Senate Bill No. 145, entitled:

An Act amending the act of July 7, 1947 (P. L. 1968), entitled "Real Estate Tax Sale Law," further providing for methods of notification, changing the date of tax sales, limiting agreements to stay sales, and increasing costs allowed relative to sales.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 319

He also returned to the Senate, Senate Bill No. 319, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 399

He also returned to the Senate, Senate Bill No. 399, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 812

He also returned to the Senate, Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the payments by the Commonwealth on account of courses for handicapped children.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 901

He also returned to the Senate, Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," further regulating increase of capital stock by stock insurance companies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 902

He also returned to the Senate, Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 916

He also returned to the Senate, Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011), entitled "A supplement to an act entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; . . ." further regulating the powers of the department of city planning over plots or subdivisions of land.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 975

He also returned to the Senate, Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries; granting powers and imposing duties on the Orphans' Court; and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians; providing for the administration of funds so established; and prescribing the nature and kinds of investments which may be made therein.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1050

He also returned to the Senate, Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act," permitting the resale, retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1052

He also returned to the Senate, Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying the provisions excepting certain work from the provisions which makes worldly employment unlawful on Sunday.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1055

He also returned to the Senate, Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payment of costs in non-support cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1062

He also returned to the Senate, Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1-959 (P. L. 58), entitled "The Vehicle Code," authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1068

He also returned to the Senate, Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the keeping of liquor in packages without official seals; and prohibiting certain actions in regard to official seals.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1078

He also returned to the Senate, Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the reassessment of property in certain cases, and imposing liability for county taxes upon the owners thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1116

He also returned to the Senate, Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 460, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorder of deeds in counties of the third, * * * and eighth classes," changing certain fees.

Which was committed to the Committee on Rules.

House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds," permitting mutual life and fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

Which was committed to the Committee on Rules.

House Bill No. 1798, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), changing provisions relating to benefits payable to certain alien non-residents.

Which was committed to the Committee on Rules.

House Bill No. 1799, entitled:

An Act amendig "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing provisions relating to benefits payable to certain alien non-residents.

Which was committed to the Committee on Rules.

House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code," repealing provisions for annual registration fees based on chassis weights, adding a schedule of fees for certain vehicles, repealing provisions for maximum gross weights based on chassis weights, changing penalties for violation of maximum gross weight provisions, and making editorial corrections.

Which was committed to the Committee on Rules.

House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and for the collection of such assessments, claims and liens.

Which was committed to the Committee on Rules.

House Bill No. 2419, entitled:

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), conferring rights on certain provisional employees and war-duration appointees.

Which was committed to the Committee on Rules.

House Bill No. 2420, entitled:

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019), changing the provisions relating to the effective date of certain laws.

Which was committed to the Committee on Rules.

ANNOUNCEMENT CONCERNING LIVESTOCK SHOW

Mr. HARNEY. Mr. President, each year when our budget is being considered, the various Senators ask me, "What is the \$50,000 in the budget, appropriated to the Department of Agriculture, for the Livestock Show?"

I just want to call to the attention of the Senators that this show is going on at the present time, and that a steer that was raised by Mr. Eisenhower was awarded first place in the carcass class yesterday, with Penn State University placing second.

I feel that for the education of the Senators, they should visit this show to see what this \$50,000 is being spent for.

The PRESIDING OFFICER. I am sure that the Members of the Senate would profit by following Senator Harney's advice.

REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 900, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), including neglected children within the powers and duties of local authorities.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER and Weiner read in place and presented to the Chair Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions and limiting the power of the Governor to convene special sessions.

Which was committed to the Committee on Rules.

Messrs. KESSLER, STEVENSON and MADIGAN read in place and presented to the Chair Senate Bill No. 1242, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees Retirement Code of 1959," redefining State employee with respect to officers and employees of certain hospitals leased by the Commonwealth.

Which was committed to the Committee on Rules.

SENATE CONCURRENT RESOLUTION

"AMERICAN HISTORY MONTH"

Messrs. KESSLER, PROPERT and STIEFEL offered the following resolution (Serial No. 121), which was read, considered and agreed to:

In the Senate, November 10, 1959.

Whereas, The history of the United States is the history of an ideal of liberty and justice and freedom under representative government, and

Whereas, In our history is written the story of the

development of this ideal, through wars and conflicts of opinion, and

Whereas (In February we observe the birthdays of two great Americans, George Washington and Abraham Lincoln, who symbolize in their divergent achievements America's immortal heritage, and are representative of the other great men who toiled and fought to develop our resources and to win and maintain our freedom; now, therefore be it

Resolved (the House of Representatives concurring), That the Governor of this Commonwealth is hereby requested to proclaim the month of February in 1960, and annually thereafter, as "American History Month," and that the citizens of this Commonwealth are hereby urged to formulate and sponsor appropriate programs in the month of February in commemoration of the achievements of George Washington and Abraham Lincoln; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE TEACHERS' COLLEGE IN THE BEDFORD COUNTY AREA

Mr. WHALLEY offered the following resolution (Serial No. 79), which was read and referred to the Committee on Rules:

In the Senate, November 10, 1959.

Recent surveys and compiled statistics have revealed that unless we now plan and prepare adequate facilities for the training of qualified teachers and instructors, a critical shortage of such trained personnel in the near future will prevent many of our children from attaining that high degree of education so necessary in our present complex and technical society.

While much is being said and in some cases efforts made to expand the present State Teachers' Colleges throughout our Commonwealth in order to meet this demand for additional teachers, little or nothing has been done towards planning or building entirely new institutions in areas of our State where present facilities are not readily available, particularly in those counties along the southern border of our State from the center westward; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study whether a new State Teachers' College in the Bedford County area would be feasible and practical; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

REPORTS FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Rules, reported as amended, House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen, firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to

the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

He also, from the Committee on Rules, reported as committed, House Bill No. 568, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929, (P. L. 177), giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and construction of school buildings.

He also, from the Committee on Rules, reported as committed, House Bill No. 626, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), increasing monthly pension allowance and maximum income allowance and establishing the sum of income and pension as a ceiling for pension receivable.

He also, from the Committee on Rules, reported as committed, House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class; and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

He also, from the Committee on Rules, reported as committed, House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; . . . and making an appropriation therefor, authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purposes for which they are constructed, under certain terms and conditions.

He also, from the Committee on Rules, reported as committed, House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities, and from points without such cities to points within such cities.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593), entitled "An Act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (Phamplet Laws 535), entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor,' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties," extending the application thereto to counties of the first class and cities and school districts located within such counties.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales

and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

He also, from the Committee on Rules, reported as committed, House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death; * * * *

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1201, entitled:

An Act amending the act of May 24, 1945 (P. L. 967), entitled "Fictitious Name Act," prohibiting assumed or fictitious names, styles or designations from being deceptively similar to other names, styles, or designations.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for testing of brakes by means of a braking device.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages, and making an appropriation therefor.

He also, from the Committee on Rules, reported as committed, House Bill No. 1261, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the operation of classes or schools for institutional children, the cost thereof to be paid by the Commonwealth.

He also, from the Committee on Rules re-reported as amended, House Bill No. 1344, entitled:

An Act amending the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells conveys transfers releases quitclaims or agrees to sell convey transfer release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor grantor transferor releasor or person who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith" limiting the provisions of the act to transactions with respect to the surface of land under which there is coal, and further regulating the notice required to be given.

He also, from the Committee on Rules, reported as committed, House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles;" etc., premitting payment of time balances in amounts varying with the expected income of the buyer.

He also, from the Committee on Rules, reported as committed, House Bill No. 1637, entitled:

An Act amending the "Magistrates Fee Bill of Cities of the First Class," approved July 13, 1953 (P. L. 447), by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

He also, from the Committee on Rules, reported as amended, House Bill No. 1984, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

He also, from the Committee on Rules, reported as amended, House Bill No. 1997, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act" including certain diseases of fire-fighters within the meaning of the term occupational disease.

He also, from the Committee on Rules, reported as amended, House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

He also, from the Committee on Rules, reported as committed, House Bill No. 2175, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), validating certain unions of school districts.

He also, from the Committee on Rules, reported as amended, House Bill No. 2297, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

He also, from the Committee on Rules, reported as committed, House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the State Employees' Retirement Board; and making an appropriation.

He also, from the Committee on Rules, reported as committed, House Bill No. 2377, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

He also, from the Committee on Rules, reported as committed, House Bill No. 2389, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

He also, from the Committee on Rules, reported as committed, House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; * * *," authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

He also, from the Committee on Rules, reported as committed, House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions, prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

He also, from the Committee on Rules, reported as committed, House Bill No. 2402, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), further providing for the borrowing of money by cities and school districts for capital expenditures for improvements and equipment without the issuance of bonds, and declaring the effects and validating certain prior transactions for the borrowing of money.

He also, from the Committee on Rules, reported as committed, House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a high level bridge over the Allegheny River, in Freeport, Armstrong County, . . .," changing the location at which the bridge is to be erected.

SENATE CONCURRENT RESOLUTION, SERIAL No. 120, REPORTED FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, to which was referred resolution offered by Messrs. MULLIN, KELLER, WALKER and SEYLER on September 14, 1959, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COM- MISSION TO STUDY CAPITAL PUNISHMENT

In the Senate, September 14, 1959.

The abolition of capital punishment is an extremely controversial subject and one which should be approved with a knowledge of all available facts and statistics. In order that the General Assembly may intelligently consider such legislation, it is imperative that a thorough study be made to make this information available; therefore be it

Resolved, the House of Representatives concurring), That the Joint State Government Commission be directed to undertake an intensive study of capital punishment and its effect upon society, and to submit its findings, together with its recommendations on whether or not capital punishment should be abolished in this Commonwealth, to the next session of the General Assembly.

Laid over for one day under the Rules.

MEMBERS OF THE 4-H LIGHT HORSE AND PONY CLUB OF ARMSTRONG COUNTY PRESENTED TO SENATE

Mr. PEACHAN. Mr. President, I have a very pleasant duty to perform this afternoon. Seated in the balcony, we have a group of about thirty-five youngsters from the 4-H Light Horse and Pony Club of Armstrong County.

I do not know what time they got up this morning, but it certainly must have been at an early hour. They were in my office about eleven o'clock this morning. They are touring the Capitol and have visited with the Governor, the House and the Senate.

I would request that the Chair greet them. They are here under the leadership of Mr. and Mrs. Albert S. Kovacovsky. Their chaperones are Mrs. Lucinda Schall, Mrs. Baranec, Mr. and Mrs. Blair Good and Mrs. Viola Toy.

The PRESIDING OFFICER. On behalf of the Senate of Pennsylvania, the Chair is happy to welcome to the Senate the guests of Senator Pechan, the thirty-five members of the 4-H Club from Armstrong County and their sponsors who are with them. We hope that your visit to the Senate of Pennsylvania and to the Capitol of Pennsylvania will be both interesting and informative to you.

Will the Members of the Senate please recognize them?

RECESS

Mr. BERGER. Mr. President, I request a one-half hour recess of the Senate for the purpose of having lunch.

The PRESIDING OFFICER. Are there any objection? The Chair hears no objection, and declares a one-half hour recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR,

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER TEMPORARILY

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 804, Printer's No. 1681, on third reading go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 910, Printer's No. 1141, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.	Probert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1017, Printer's No. 1560; and

Senate Bill No. 1036, Printer's No. 1340.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1 1907 (P L 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1211, Printer's No. 1205; and
House Bill No. 1122, Printer's No. 1235.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1189, Printer's No. 1452, on third reading go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township Northampton County.

And said bill having been read at length the third time, and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1223, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1959" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1443, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Section 263), page 4, line 2, by striking the bracket before "If"; Amend Section 1 (Section 263), page 4, line 2, by inserting after "merger": "the same or"; Amend Section 1 (Section 263), page 4, line 2, by inserting a bracket before and after "shall" and inserting immediately thereafter: "may"; Amend Section 1 (Section 263), page 4, line 4, by striking out the bracket after "cedure".

On the question,

Will the Senate agree to the amendments?

They were agreed to.
On the question,
Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that House Bill No. 1443, Printer's No. 573, on third reading, go over in its order,

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1614, Printer's No. 1863, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill on third reading?

Mr. ELLIOTT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, seventh and eighth lines of Title, by striking out "prohibiting the designation of 4-way stop and other multi-way stop intersections"; Amend Sec. 2, page 3, lines 3 and 4, by striking out "two new subsections are" and inserting: "a new subsection is"; Amend Sec. 2 (Sec. 1112), page 3, lines 8 to 12, by striking out all of said lines; Amend Sec. 2 (Sec. 1112), page 3, line 13, by striking out "(f)" and inserting: "(c)".

On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. ELLIOTT. Mr. President, I ask unanimous consent that House Bill No. 1675, Printer's No. 2840, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1904, Printer's No. 1753, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1942, on third reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the renewal of provisional college certificates.

be recommitted to the Committee on Education.

Mr. WALKER. Mr. President, I second the motion.
The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2021, Printer's No. 1778, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2120, Printer's No. 1400; and
House Bill No. 2292, Printer's No. 1503.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2302, entitled:

An Act amending the act of April 28, 1937 (P. L. 417) entitled "Milk Control Law" further regulating cash sales of milk on farms.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Taylor,
Blass,	Kessler,	Propert,	Van Sant,
Camel,	Koprivier, Jr.	Ripp,	Wade,
Chapman,	Kromer,	Rooney,	Wagner,
Confair,	Madigan,	Ruth,	Walker,
DiSilvestro,	Mahady,	Sarraf,	Watkins,
Donolow,	Mallery,	Scott,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Whalley,
Elliott,	McGinnis,	Shafer,	Wolfe,
Flack,	McMenamin,	Silvert,	
Harney,	Miller,	Stevenson,	
Hays,	Mullin,		Fleming,
			Presiding Officer

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for additional payments to certain school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.	Probert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2363, Printer's No. 1668, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1864, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2429, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.	Probert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
DiSilvestro,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Hays,	McMenamin,	Silvert,	Fleming,
Harney,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus.

Mr. WEINER. Mr. President, there will also be a Democratic Caucus at 1:45 p.m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. WEINER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER, from the Committee on Rules, reported as amended, Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034), entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

He also, from the Committee on Rules, reported as amended, House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of harness racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

REPORT FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous con-

sent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

Mr. VAN SANT. Mr. President, I submit the report of the Committee of Conference on House Bill No. 623, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prescribing penalties for using obscene or offensive language over telephones, or repeatedly by telephone annoying, molesting or harassing another.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF SENATE BILL No. 835

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 835, Printer's No. 1504, entitled "An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of Health of the Commonwealth of Pennsylvania and prescribing penalties."

DAVID L. LAWRENCE.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Claude Charles, Port Trevorton, Snyder County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 505, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304) entitled "Local Health Administration Law" extending the provisions thereof to counties of the first class and

to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

SECOND READING CALENDAR

APPROPRIATION BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that the following appropriation bills, on second reading, go over in their order:

Senate Bill No. 87, Printer's No. 1515;
Senate Bill No. 217, Printer's No. 1516;
Senate Bill No. 295, Printer's No. 319;
Senate Bill No. 445, Printer's No. 1517;
Senate Bill No. 545, Printer's No. 1518;
Senate Bill No. 711, Printer's No. 1519;
Senate Bill No. 863, Printer's No. 1002;
House Bill No. 1157, Printer's No. 1822;
Senate Bill No. 1194, Printer's No. 1457;
House Bill No. 1508, Printer's No. 1530;
House Bill No. 1894, Printer's No. 943;
House Bill No. 2303, Printer's No. 1413;
House Bill No. 2304, Printer's No. 1414; and
House Bill No. 2313, Printer's No. 1523.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 1862;
House Bill No. 355, Printer's No. 1710;
House Bill No. 506, Printer's No. 1826;
Senate Bill No. 924, Printer's No. 1087; and
Senate Bill No. 932, Printer's No. 1557.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1117, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township Northampton County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1323, Printer's No. 627, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1355, Printer's No. 783, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1380, Printer's No. 1810;

House Bill No. 1384, Printer's No. 1756;

House Bill No. 1927, Printer's No. 1665; and

House Bill No. 1977, Printer's No. 1850.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 804 CALLED UP

Mr. WEINER. Mr. President, I call up from page 2 of today's Third Reading Calendar, House Bill No. 804, Printer's No. 1681, which went over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 804, entitled:

An Act amending the act of June 13, 1836 (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing the Secretary of Highways to determine the maximum width of public highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarra,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreech,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	
Harney,	McMenamin,	Silver,	Fleming,
Hays,	Miller,	Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 1927 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 12 of today's Second Reading Calendar, House Bill No. 1927, Printer's No. 1665, which previously went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1927, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended "Fuel Use Tax Act" decreasing one tax clarifying certain types of aircraft.

The first section was read.

On the question,

Will the Senate agree to the section?

AMENDMENTS TAKEN FROM TABLE

Mr. WEINER. Mr. President, I call from the table the amendments which I offered yesterday to this bill.

The PRESIDING OFFICER. There being no objection, the Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line2, by striking out "April 9, 1957 (P. L. 57)" and inserting: "June 1, 1959 (Act No. 66)"; Amend Section 1 (Second 4), page 4, line 7, by striking out "fifty-nine" and inserting: "sixty-one."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1927, Printer's No. 1665, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 505, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304) entitled "Local Health Administration Law" extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and construction of school buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 626, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law," including neglected children within the powers and duties of the local authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" authorizing cities of the first class to remove wharves piers bulkheads pilings or other harbor structures which have not been used for three years and which are not longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1018, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" enlarging the power of cities of the first class to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities and from points without such cities to points within such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593), entitled "An act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (Pamphlet Laws 535), entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor,' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties," extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid;" authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged nonresidents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property the transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes regulating the entry into safe deposit boxes of a decedent by certain persons and providing penalties dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Rev-

enue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1201, entitled:

An Act amending the act of May 24, 1945 (P. L. 967) entitled "Fictitious Name Act," prohibiting assumed or fictitious names, styles or designations from being deceptively similar to other names, styles, or designations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for testing of brakes by means of a brake testing device.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages, and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the operation of classes or schools for institutionalized children in counties of the second class the cost thereof to be paid by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting payment of time balances in amounts varying with the expected income of the buyer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1637, entitled:

An Act amending the act of July 13, 1953 (P. L. 447) entitled "Magistrates' Fee Bill of Cities of the First Class" by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1984, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1997, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" including certain diseases of fire-fighters within the meaning of the term occupational disease.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of harness racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2175, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" validating certain unions of school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2297, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workman's Compensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2377, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance of new hotel restaurant and club liquor licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2389, entitled:

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof . . ." authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2402, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" removing limitations in the borrowing of money by municipalities for capital expenditures for improvements and equipment without the issuance of bonds and declaring the effect and validating certain prior transactions for the borrowing of money.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages" changing the location at which the bridge is to be erected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CONGRATULATIONS EXTENDED TO SENATOR JOSEPH M. BARR UPON BEING ELECTED MAYOR OF THE CITY OF PITTSBURGH

Mr. WEINER. Mr. President, on behalf of my colleagues—and I am sure I speak for the gentlemen on the other side—I would like to take this opportunity to congratulate one of our own Members who will now be the mayor of the second largest city of our Commonwealth, Senator Joseph M. Barr.

I think this is a real tribute to him. I know that all of us will miss him here in the Senate. On behalf of all of the Members of the Senate, I wish him godspeed, and I am sure he will do a good job in Pittsburgh. We only hope that he does not come down here and buttonhole us for too many bills after he leaves us.

Good luck, Joe.

Mr. BERGER. Mr. President, I think the Minority Leader has very well expressed the feeling of all of the Members of the Senate. They certainly do wish ex-Senator Barr well, and hope that Mayor Barr's career will continue to flourish. We join in the congratulatory remarks.

The PRESIDING OFFICER. The Chair cannot help but remark, being from the same county as Senator Barr, that if we had to lose the Mayoralty to the Democratic Party, I can think of no one to whom we would have rather lost it than to our colleague, Senator Barr. Is he in the Chamber? We cannot recognize him then.

Mr. WEINER. Mr. President, to show you how active this gentleman is, he is always on the road. I am afraid he is not even here to hear what has been said. I was going to say, you know, that after a man is gone an epitaph is usually given. However, people usually would rather have the taffy rather than the "epitaph" later on. Senator Barr is not even here to hear these good words about him.

PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, recently I received by mail a statement addressed to the Members of the General Assembly and reprinted from an issue of The Pennsylvania Federationist, which contained some material which seemed to me very striking, and just as appropriate, Mr. President, in my opinion, as it was when this statement was originally published in October of 1959, because it bears on the problem still, to my mind, not happily resolved regarding the amount of wealth of this Commonwealth which should be devoted to the problems of education and welfare.

The figures published in this statement are very striking, and they are authoritative. They are taken from the "Compendium of State Government Expenditures for 1958," which was published by the Bureau of Census of the United States Department of Commerce.

I would like to call the attention of the Members of the Senate to a couple of these statements, which certainly deserve our attention.

"While the average increase for all states for public and higher education was almost 12%,"—in 1958—"we in Pennsylvania had the dubious distinction of reducing our expenditure for education (including higher) for 1958 by almost 6½% under 1957.

"In the field of public welfare, all states in 1958 increased their expenditures by 6½%. Though in Pennsylvania such expenditures were increased 7½%, on the basis of per capita cost we were still FORTY-THIRD IN THE RANKING OF ALL STATES" in the Union.

Mr. President, the statement goes on and points out that:

"If we in Pennsylvania were to have equaled the national per capita cost for public welfare—the level of mediocrity—it would have been necessary for this Commonwealth to have spent MORE THAN SIXTY-ONE MILLION DOLLARS above its expenditures for 1958 alone. On a biennial basis this would have meant an additional ONE HUNDRED AND TWENTY-TWO MILLION DOLLARS.

"In the field of education (public and higher combined) Pennsylvania, to achieve mediocrity, would have been required to spend in 1958 alone over SEVENTY-SIX MILLION DOLLARS more than it did, or over ONE HUNDRED AND FIFTY-TWO MILLION DOLLARS ON A BIENNIAL BASIS."

Mr. President, I think all of this article is very pertinent to the problems which still lie before us, the unfinished work, and which, I am afraid, will still lie before us as we come together in the first, history-making session which will open in January, because I believe that this problem of determining the proper amount of the wealth of Pennsylvania that should be devoted to education and welfare will still be unsatisfactorily resolved.

Therefore, Mr. President, in order to save time and not to read the entire statement, I would be very well satisfied if, by unanimous consent, this statement could be published as a part of my remarks.

The PRESIDING OFFICER. I am sure there is no objection, and the statement will be spread upon the Legislative Journal.

Reprinted from THE PENNSYLVANIA FEDERATIONIST October 1959

To the Members of the
GENERAL ASSEMBLY

An
INVITATION
to

Face the Fiscal Facts!

The battle of the budget is in its final moments and it appears that the advocates of economy will have scored a victory. From every indication, the House and Senate conferees are about to agree finally on an appropriation bill—which may be fifty or more millions lower than was requested by the Administration. Admittedly, this is a lot of money—even if you say it quickly. Those responsible will undoubtedly regard such an economy as a great accomplishment.

That it may be. But the question is: CAN WE AFFORD IT?

The members of both parties in the General Assembly are undoubtedly sincere in the belief that they are dedicated to the best interest of the Commonwealth and its citizens. However, in our humble opinion, no one can really make the claim that this budget, with or without the expected reductions, adequately meets the needs of our people.

The Bureau of Census of the United States Department of Commerce publishes fiscal facts gathered from all of the States. The "Compendium of State Government Expenditures for 1958," published recently, offers some very compelling information—information which is both shocking and sobering.

These are the unhappy facts.

In 1958 the Commonwealth spent almost 5% more than it did in the preceding year. Yet, throughout the country the average increase for all States was more than twice as much (11.6%).

(The cost of all expenditures distributed over the total state population is the only real index to cost of government and its services. Comparing such per capita costs with the rest of the nation, Pennsylvania ranked twenty-eighth).

While the average increase for all states for public and higher education was almost 12%, we in Pennsylvania had the dubious distinction of reducing our expenditure for education (including higher) for 1958 by almost 6½% under 1957.

In the field of public welfare, all states in 1958 increased their expenditures by 6½%. Though in Pennsylvania such expenditures were increased by 7½%, on the basis of per capita cost, we were still FORTY-THIRD IN THE RANKING OF ALL STATES.

For health and hospitals, the national increase in 1958 was almost 13%. In Pennsylvania the increase was but half that amount, slightly less than 6½%.

In the field of public control (government overhead, the legislature, judiciary, etc.,) the national increase in 1958 was 7½% while in Pennsylvania it was scarcely over 5%. (On a per capita basis, thirty-one other states were spending more money for government overhead than was Pennsylvania.)

All this takes on added meaning when we examine per capita costs for all government services nationally. It is admitted by competent observers that state government expenditures generally have failed to keep pace with needs. The U. S. per capita cost for a given service, therefore, is far from being the desired ultimate standard, but is

rather an expression of mediocrity. In such important areas as health, welfare and education, Pennsylvania was substantially below that level.

If we in Pennsylvania, were to have equaled the national per capita cost for public welfare—the level of mediocrity—it would have been necessary for this Commonwealth to have spent MORE THAN SIXTY-ONE MILLION DOLLARS about its expenditures for 1958 alone. On a biennial basis this would have meant an additional ONE HUNDRED AND TWENTY-TWO MILLION DOLLARS.

In the field of education (public and higher combined) Pennsylvania, to achieve mediocrity, would have been required to spend in 1958 alone over SEVENTY-SIX MILLION DOLLARS more than it did, or over ONE HUNDRED AND FIFTY-TWO MILLION DOLLARS ON A BIENNIAL BASIS.

In the field of health and hospitals in 1958 alone to equal the national per capita cost, Pennsylvania would have been required to spend almost ELEVEN AND ONE-HALF MILLION DOLLARS more than it did or ALMOST TWENTY-THREE MILLION DOLLARS MORE ON A BIENNIAL BASIS.

Viewing total expenditures on a per capital basis, Pennsylvania in 1958 alone, would have had to spend almost THREE HUNDRED MILLION DOLLARS MORE to equal such a national per capita cost. On a biennial basis this would mean almost SIX HUNDRED MILLION DOLLARS MORE.

And this fantastic sum would only have permitted us to reach the national average—the level of mediocrity.

To be sure, our state tax revenue is substantially below the national average. What is more, combined state and local tax revenues in Pennsylvania are below the national level. (U. S. Bureau of the Census.)

Pennsylvania apparently refuses to recognize the plain facts of life.

Perhaps this is the key to the reason why our Commonwealth is fast being outdistanced by other leading states in terms of population growth, industrial expansion and increased per capita personal income.

This explains, in part at least, why our General Assembly is deadlocked for almost ten months over a budget which if approved even in its entirety would still, on a per capita basis, not equal the increased expenditures already undertaken by the many other states with whom we are compelled to compete, not only in attracting new industry, but retaining that which we already have.

It should surprise no one that the responsible industries seeking new plant sites lay far greater stress upon the availability of good secondary and post-secondary educational facilities and the quality, variety and availability of all public services, than they do upon the tax structure of a state.

To be sure, saving the taxpayers fifty or more millions during this biennium represents quite a feat.

BUT CAN THE COMMONWEALTH AND ITS
PEOPLE AFFORD SUCH A LUXURY?

Perhaps the members of the General Assembly in next session will want to take a good look at this picture and to ponder anew whether Pennsylvania shall continue to sink below the national average of mediocrity or whether Pennsylvania shall reverse its direction, fearlessly view this generation's needs and energetically set out to redeem its proud heritage.

If they decide upon the latter course, working men and women throughout our state may be relied upon to join with all thoughtful and conscientious citizens in a most vigorous support of such an objective.

REX ALLEN, HIS MEN OF THE WEST, AND THE
QUEEN OF THE LIVESTOCK RODEO PRESENTED
TO SENATE

Mr. BERGER. Mr. President, it is very unusual to have our Senate invaded by the stars of the western plains, and rodeo and motion picture stars. However, we are very happy at this time to introduce to the Senate of Pennsylvania, Rex Allen, known as TV's Frontier Doctor and a star of thirty western pictures.

Will Rex Allen please stand up?

With him are his Men of the West, Jimmie Wiener, Bobby Dyson and Kennie Newton. Also, Mr. President, from Susquehanna County, in Pennsylvania, we have the Queen of the Livestock Rodeo, Miss Hertolf.

The PRESIDING OFFICER. On behalf of the Senate of Pennsylvania, the Chair is most happy to welcome to the Senate Chamber Rex Allen, TV's Frontier Doctor; Miss Hertolf, the Susquehanna County Rodeo Queen; and the group of musicians.

The Chair would now like to invite Rex Allen, Miss Hertolf and the musicians up to the rostrum. Possibly you would entertain us a little bit.

(The group then approached the rostrum.)

Mr. REX ALLEN. It is indeed an honor and a wonderful pleasure to have the opportunity of visiting with such a fine group of men. The boys and I just made mention of the fact, out in the outer lobby, that we have played in lots of places, but this is the first time we have ever been invited to visit a Legislature. It is certainly something that we will never forget.

I do not know whether to sing hymns or what. I feel as though I have invaded something which I should not have. However, with your permission, we will try to sing a little song or two. I do not know whether they will be appropriate or not, but you are stuck with them.

(Rendition by Mr. Rex Allen and his Men of the West.)

Mr. REX ALLEN. There are many people in Pennsylvania who probably wonder why a cowboy is always decked out in a mess like this. I have a little reason for wearing this outfit. I was born in southern Arizona and wore levi's and old blue shirts most of my life. However, they told me, when I got to Hollywood, if I wanted to be a real cowboy, this is the way I had to look.

I am not complaining. This is a real good suit. This is a seersucker suit; Sears made it and a sucker bought it. I do not know what a cow would do if she ever saw me coming at her with this mess on, but I bet it would curdle her milk for a week or two. We used to have one old cow that did not give any milk and we sold him. We do not have him anymore.

I do not want you to feel that I am bragging or anything, but I would like to talk to you a little bit about this suit. It costs a lot of money to go around looking like a darn fool. These boots cost me \$275. The spurs cost \$300 because they have solid gold buckles; and you have to have those. The pants cost \$75. The guns and gun belt cost about \$2,500. The shirt cost \$350. The hat cost—I wonder how much I should lie about it—\$75. What is the matter with you? Why are you laughing?

MEMBER OF THE GROUP. I know that you paid a lot of money for all that, but I happen to know that you wear the raggedest underwear of anyone I know.

Mr. REX ALLEN. I thought perhaps some of you might be wondering about these guns that cowboys carry in their pictures. These are real guns. Many people think that we do not use real guns, but we do. These are actually old Colt 45s'. They call them that because they shoot forty-five times without reloading. We have blanks that we shoot in them because of some silly law that the Legislature put through about killing people in California. They will not let us do that. I never did keep these loaded. This is probably the wrong place to do it because you can imagine if I had them loaded and they would accidentally go off, and one of them was to be pointed up there and went off (two gunshots were then fired by Mr. Allen), it would sound kind of like that. For that reason, we never keep them loaded in places.

The point I like about it is when you pull down on an old boy going over a hill—is everybody ready? If you pull down on him (gunshot was then fired by Mr. Allen), and you miss him, you can smoke him to death with this gun.

It seems as though everybody is always singing some song about some old squaw who ran off and they are going to sit around and eat worms and die if she does not come back. I would like to sing the first song that I ever learned in my life, I believe. It is one which my dad taught me when I was a little fellow.

(Rendition by Mr. Rex Allen.)

Mr. REX ALLEN. I hope we will see all of you again this evening out at the rodeo. I am certain you will enjoy it. It is one of the finest in the whole world we think. If you do not think so, then you can come over to the hotel and shoot up my suite.

Thank you very much.

The PRESIDING OFFICER. Thank you Rex Allen, Miss Hertolf and you are very fine musicians. We enjoyed the music very much. I am sure that most of us will be out to the rodeo to see you this evening.

Mr. BERGER. Mr. President, I just want to call the attention of our guests to the fact that our Reporters have taken down everything that they said and everything that they sang. I wonder if they know that. Rex, did you know that? They have taken down everything you said and every note you sang.

The PRESIDING OFFICER. At this time, the Chair would ask the President pro tempore to approach the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

Senate Bill No. 145, Printer's No. 154;
Senate Bill No. 319, Printer's No. 344;
Senate Bill No. 399, Printer's No. 780;
House Bill No. 534, Printer's Not. 1521;
Senate Bill No. 535, Printer's No. 571;
House Bill No. 578, Printer's No. 1819;
Senate Bill No. 812, Printer's No. 1296;
Senate Bill No. 901, Printer's No. 1246;
Senate Bill No. 902, Printer's No. 1247;
Senate Bill No. 916, Printer's No. 1079;
House Bill No. 926, Printer's No. 1591;

Senate Bill No. 975, Printer's No. 1147;
 Senate Bill No. 1050, Printer's No. 1241;
 Senate Bill No. 1052, Printer's No. 1250;
 Senate Bill No. 1055, Printer's No. 1253;
 Senate Bill No. 1062, Printer's No. 1342;
 Senate Bill No. 1068, Printer's No. 1266;
 Senate Bill No. 1078, Printer's No. 1278;
 Senate Bill No. 1116, Printer's No. 1334;
 House Bill No. 1496, Printer's No. 1003;
 House Bill No. 1629, Printer's No. 1561;
 House Bill No. 1729, Printer's No. 1051;
 House Bill No. 1898, Printer's No. 1687; and
 House Bill No. 2376, Printer's No. 1699.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. RIPP. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RIPP. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

ANNOUNCEMENT OF REPUBLICAN CAUCUS

Mr. BERGER. Mr. President, before making a motion to adjourn, I would request that all of the Republican Senators meet in the Conference Room for a short Caucus immediately following adjournment.

The PRESIDING OFFICER. Immediately following adjournment, there will be a short caucus meeting of the Republicans in the Conference Room at the rear of the Senate.

I now see that Senator Barr has returned to the floor.

In your absence, Senator Barr, there were some very laudatory remarks made about you by Senator Weiner and Senator Berger on being elected Mayor of the city of Pittsburgh. The Chair tried to recognize you at that time, but you were not present. Would you care to say something now?

REMARKS BY SENATOR JOSEPH M. BARR

Mr. BARR. Mr. President, I do not know what they said, but I hope it was nothing other than words of praise.

The PRESIDING OFFICER. They were all words of praise.

Mr. BARR. Mr. President, seriously, I am going to be a very lonesome person I think for quite a time, particularly when the gavel falls to start the Session next January. I was always in favor of Annual Sessions, but

when I found out I was not going to be here, I do not think I was as much in favor of them anymore.

However, I just want to invite everyone, who wants to come, out to Pittsburgh on December 2, 1959. We are going to have the raising of the hand and get back on the payroll.

As you know, this is for an unexpired term, so I cannot wait until January. After the return board finishes, I must take my job then.

I am going away for a few days—I will not tell you how many—starting tomorrow night, but I presume I will be back here before this Session ends.

Thank you all so much for being so kind to me through these nineteen short years.

CONGRATULATIONS EXTENDED TO SENATOR G. ROBERT WATKINS UPON BEING ELECTED TO THE OFFICE OF COUNTY COMMISSIONER

Mr. SCOTT. Mr. President, as long as we are extending our congratulations to successful candidates on the election of last Tuesday, we on this side of the aisle have a man who has won a very important office in one of the most outstanding counties of the Commonwealth of Pennsylvania, our own Senator Bob Watkins, who was elected County Commissioner in Delaware County. Most certainly, I think that we of the Senate ought to pay our congratulations to this outstanding individual for his recent success.

The PRESIDING OFFICER. The Chair now recognizes the new commissioner from Delaware County, Commissioner Watkins.

Mr. WATKINS. Mr. President, I want to thank Senator Scott very much for his kind words. I was lucky down in Delaware County. After facing the public in running for five different public offices, extending from Sheriff, election to the Senate three times and now for County Commissioner, I thought maybe they would have found me out.

However, believe me, I am grateful to the people in my county. I think I will do the same as many other Senators in the past. I intend to serve, the Lord willing, my term in 1960, which will be the end. I will not be a candidate for re-election. However, I want to say that I will miss this wonderful group very much when that time comes.

Thank you so much.

Mr. LANE. Mr. President and Members of the Senate, you know, as the years go by, we see changing times and changing faces here on the floor of this Senate. I, for one, wish to congratulate Senator Watkins on his marvelous victory. I know he will do a marvelous job as County Commissioner for Delaware County. I will say to you that we on this side of the Senate admire and respect Bob Watkins for what he is, and we feel he is a great fellow.

Bob, we hate to see you go. However, if that is what you want, we wish you the best of everything, and I know that you will do a darned good job. When Bob Watkins leaves, and Joe Barr and a few others, it will not be long until there will not be very many of the old guard left. We hope that a few of them will stay on over on the Republican side for awhile, anyway.

BILL INTRODUCED AND REFERRED

Mr. MAHADY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHADY, on behalf of Messrs. McCREESH and MULLIN, read in place and presented to the Chair Senate Bill No. 1243, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the election of school directors in school districts of the first class.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, November 11, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:30 o'clock, p.m., Eastern Standard Time, until Wednesday, November 11, 1959, at 10:00 o'clock a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 10, 1959

The House met at 12:00 o'clock noon EST.

Mr. LOPRESTI in the Chair.

The SPEAKER pro tempore. The Speaker has requested the present occupant of the Chair to call the House to order and preside until the middle of the afternoon when the Speaker will return to the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Eternal Father, in humbleness of heart and contrite spirit, we turn to Thee. We are aware of Thy majesty, eternal goodness and righteousness, as well as Thy forgiving Spirit as exemplified by Christ upon the cross. We look to Thee this day as we are conscious of our need of Thy forgiveness of our many shortcomings. Magnify within us the splendor of Thy great truths and cleanse our hearts and minds of the sin and evil which so easily take possession of us. As Thou dost fill us with the greatness of Thy love and the righteousness of Thy ways, inspire us with the guidance of Thy Spirit that we may humbly walk therein; through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, November 9, 1959 will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 476.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

HOUSE BILL No. 2084.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

HOUSE BILL No. 2181.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) penalizing acts of malicious mischief to real or personal property.

HOUSE BILL No. 2331.

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

HOUSE BILL No. 2368.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

HOUSE BILL No. 2372.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the employment of former members of school boards as teachers.

HOUSE BILL No. 2405.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) further defining the word "document."

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mrs. ANDERSON for today because of illness.

Mr. OGILVIE. Mr. Speaker, I request leave of absence for myself from 10:00 a. m. to 1:00 p. m. tomorrow, November 11, in order that I may take part in the observance of Veterans' Day for those who have answered this last call of the Great Commander.

To those veterans in this House I extend an invitation to join with us in Harrisburg and take part in our observance from 11:00 a. m. to 1:00 p. m. The reviewing stand will be at the Capitol steps on Third Street, Harrisburg, Pennsylvania.

REPORTS FROM COMMITTEE

Mr. WILLAREDT from the Committee on Insurance, reported as amended, Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employees from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

Mr. GELFAND from the Committee on Insurance, reported as committed, House Bill No. 652, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 1564, entitled:

An Act amending the "Intestate Act of 1947," approved April 24, 1947 (P. L. 80), prescribing the spouse's rights in the decedent's estate, and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without her joinder.

Mr. SCHWARTZ from the Committee on Judiciary, reported as committed, House Bill No. 1635, entitled:

An Act amending the "Lien Priority Law," approved June 28, 1951 (P. L. 927), providing that future advances made by a mortgagee or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed for the purpose of repairing the mortgaged premises, shall have the same priority and lien as the original mortgage or deed.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 652 entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1564 entitled:

An Act amending the "Intestate Act of 1947," approved April 24, 1947 (P. L. 80), prescribing the spouse's rights in the decedent's estate, and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without her joinder.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1635 entitled:

An Act amending the "Lien Priority Law," approved June 28, 1951 (P. L. 927), providing that future advances made by a mortgagee or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed for the purpose of repairing the mortgaged premises, shall have the same priority and lien as the original mortgage or deed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2037 entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2334 entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 297 entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. R. P. JOHNSON from the Committee on Law and Order, reported as committed, House Bill No. 2334, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

Mr. GELFAND from the Committee on Judiciary, reported as committed, Senate Bill No. 297, entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and re-

tention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . .” changing and clarifying certain preference provisions and adding definitions.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 126.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, for the information of the Members of the House, we intend to work until 1:30, no later than a quarter of two, and break for lunch and a caucus. Then come back here and work on the calendar until in the neighborhood of 6:30 or 7:00 o'clock, finishing up the calendar.

Mr. Speaker, when we break for lunch at 1:30 or a quarter of two, no later than a quarter of two, the Democrat Members of the House will have 40 minutes for lunch, the balance of the period for caucus, and we request that they be sure to bring their House calendars with them to the caucus.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to make a like announcement on this side of the House. We will have lunch for a half hour and a caucus for one hour at the call of the recess.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled “An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court * * * certain state officers and the salary and expenses of the members of the General Assembly * * *” changing time for payment of certain portions of salary and expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2015, entitled:

An Act providing for the appointment of a disinterested real estate expert in all proceedings arising from the exercise of eminent domain.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2430, entitled:

An Act amending “The Realty Transfer Tax Act” approved December 27, 1951 (P. L. 1742) redefining documents to exclude certain repossessions following defaults in purchase obligations.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2431, entitled:

An Act amending the “State Employees’ Retirement Code of 1959” approved June 1, 1959 (Act No. 78) further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled “The Penal Code” changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 827, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended “The Liquid Fuels Tax Act” providing for payment of certain county treasurers’ fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled “The Penal Code” prohibiting any mortgagee or pledgee from requiring that the life or health of any person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled “Public School Code of 1949” changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

The first to the fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment.

Amend Sec. 6, page 18, line 4, by striking out "December 1 1959" and inserting: "sixty days after final enactment."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1200, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" requiring contributions and providing comparable benefits in the case of certain former members of the General Assembly.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1572 on page 5 of today's calendar, bill on final passage recalled from the Governor postponed.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

On the question,

Shall the bill pass finally?

Agreeably to the provisions on the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,	Galley,	McCann,	Rigby,
Arlene,	Gallagher,	McCormack,	Riley,
Ashton,	Garlock,	McDonald,	Rovasek,
Auker,	George,	McInroy,	Royer,
Balthaser,	Gelfand,	McKeever,	Sakulsky,
Barton,	Gibb,	McLaughlin,	Scarcelli,
Bell,	Goldstein,	Machmer,	Schuster,
Bonner,	Goodrich,	Magee,	Schwartz,
Boris,	Gramlich,	Mahan,	Seltzer,
Bower,	Guthrie,	Markley,	Sherman,
Branca,	Hamilton,	Maxwell,	Shupnik,
Brenninger,	Heavey,	Meholchick,	Silverman,
Breth,	Heffner,	Merry,	Snare,
Brown,	Henzel,	Mihm,	Snider,
Buchanan,	Hocker,	Miller, B. Z.,	Stank,
Burns,	Holiday,	Miller, H. G.,	Steckel,
Capitolo,	Holt,	Mills,	Stevens,
Cianfrani,	Horst,	Monroe,	Stewart,
Cioffi,	Irvls,	Muldowney,	Stimmel,
Clarke,	Isaacs,	Mullen,	Stoner,
Comer,	Jenkins,	Munley,	Strausser,
Crossin,	Jim,	Murphy, A. J., Jr.,	Sullivan,
Curwood,	Johnson, A. W.,	Murphy, P. J.,	Thompson,
Davis,	Johnson, R.,	Murray, H. P.	Tompkins,
Dengler,	Jones, F. R.,	Murray, J. J.,	Trusio,
Dennis,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Dennison,	Jump,	Musto,	Varallo,
Devlin,	Kamyk,	Naugle,	Varnier,
Donahue,	Kee,	Needham,	Verona.

Donaldson,	Kelser,	O'Dell,	Wall,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Down,	Kessler,	O'Donnell, J. P.,	Wargo,
Edwards,	Knecht,	Odorisio,	Weldner,
Elberg,	Kooker,	Ogilvie,	Welsh,
Eshback,	Kornick,	O'Neill,	Wescott,
Eshleman,	Korns,	Parlante,	Wheeler,
Ewing,	Kovolenko,	Pashley,	Whittaker,
Farabaugh,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Fetterolf,	Lamb,	Perry, P. E.,	Willard,
Filo,	Lee, A. M.,	Petrosky,	Willaredt,
Fineman,	Leonard,	Polaski,	Wilt,
Floyd,	Light,	Polen,	Worley,
Flynn,	Limper,	Prendergast,	Yatron,
Foerster,	Lippincott,	Price,	Yetter,
Fox,	Lopresti,	Pursley,	Zimmerman,
Frank,	Luigard,	Reibman,	
Frascella,	Lutty,	Reidenbach,	Andrews,
Fulmer,	McCandless,	Renwick,	Speaker

NAYS—0

NOT VOTING—18

Anderson,	Cooper,	Rudisill,	Taylor,
Blair,	Helm,	Schaaf,	Williams, E. S.,
Boles,	Lee, K. B.,	Stone,	Wood,
Bowman,	Moran,	Stroup,	Wynd,
Capano,	Nelson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 161, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" changing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,	Galley,	McCann,	Rigby,
Arlene,	Gallagher,	McCormack,	Riley,
Ashton,	Garlock,	McDonald,	Rovansek,
Auker,	Gelfand,	McInroy,	Royer,
Balthaser,	George,	McKeever,	Sakulsky,
Barton,	Gibb,	McLaughlin,	Scarcelli,
Bell,	Goldstein,	Machmer,	Schuster,
Bonner,	Goodrich,	Magee,	Schwartz,
Boris,	Gramlich,	Mahan,	Seltzer,
Bower,	Guthrie,	Markley,	Sherman,
Branca,	Hamilton,	Maxwell,	Shupnik,
Brenninger,	Heavey,	Meholchick,	Silverman,
Breth,	Heffner,	Merry,	Snare,
Brown,	Henzel,	Mihm,	Snider,
Buchanan,	Hocker,	Miller, B. Z.,	Stank,
Burns,	Holliday,	Miller, H. G.,	Steckel,
Capitolo,	Holt,	Mills,	Stevens,
Cianfrani,	Horst,	Monroe,	Stewart,
Cloff,	Irvia,	Muldowney,	Stimmel,
Clarke,	Isaacs,	Mullen,	Stoner,
Comer,	Jenkins,	Munley,	Strausser,
Crossin,	Jim,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, A. W.,	Murphy, P. J.,	Thompson,
Davis,	Johnson, R.,	Murray, H. P.,	Tompkins,
Dengler,	Jones, F. E.,	Murray, J. J.,	Trusio,

Dennis,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Dennison,	Jump,	Musto,	Varallo,
Devlin,	Kamyk,	Naugle,	Varnier,
Donahue,	Kee,	Needham,	Verona,
Donaldson,	Kelser,	O'Dell,	Wall,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Down,	Kessler,	O'Donnell, J. P.,	Wargo,
Edwards,	Knecht,	Odorisio,	Weldner,
Elberg,	Kooker,	Ogilvie,	Welsh,
Eshback,	Kornick,	O'Neill,	Wescott,
Eshleman,	Korns,	Parlante,	Wheeler,
Ewing,	Kovolenko,	Pashley,	Whittaker,
Farabaugh,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Fetterolf,	Lamb,	Perry, P. E.,	Willard,
Filo,	Lee, A. M.,	Petrosky,	Willaredt,
Fineman,	Leonard,	Polaski,	Wilt,
Floyd,	Light,	Polen,	Worley,
Flynn,	Limper,	Prendergast,	Yatron,
Foerster,	Lippincott,	Price,	Yetter,
Fox,	Lopresti,	Pursley,	Zimmerman,
Frank,	Luigard,	Reibman,	
Frascella,	Lutty,	Reidenbach,	Andrews,
Fulmer,	McCandless,	Renwick,	Speaker

NAYS—0

NOT VOTING—18

Anderson,	Cooper,	Rudisill,	Taylor,
Blair,	Helm,	Schaaf,	Williams, E. S.,
Boles,	Lee, K. B.,	Stone,	Wood,
Bowman,	Moran,	Stroup,	Wynd,
Capano,	Nelson,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 227, entitled:

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 431) requiring the owner or contractor in certain cases to post bond for payment of labor and material furnished.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEAVEY. Mr. Speaker, is this the bill where you have to put up a bond for a lien?

The SPEAKER pro tempore. We are on House Bill No. 227.

Mr. HEAVEY. Yes, I am so informed.

Mr. Speaker, I am thinking of the little contractors doing little jobs or little buildings. If they have trouble getting their money, they would have to put up a bond according to this bill. Many of them do not have the money and are also unable to get a bond. I do not see the purpose of the bill at all, because they file a lien and that is considered sufficient, according to law.

The SPEAKER pro tempore. Does the gentleman desire to interrogate anyone, or is he finished with his debate?

Mr. HEAVEY. That is all I can say, Mr. Speaker; it is just a plain statement.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—87

Arlene,	Fulmer,	McCormack,	Reibman,
Balthaser,	Garlock,	McDonald,	Reidenbach,
Bonner,	Gelfand,	McLaughlin,	Renwick,
Bower,	Hamilton,	Machmer,	Rovansek,
Branca,	Hefner,	Maxwell,	Sakulsky,
Breth,	Holt,	Meholchick,	Scarcelli,
Buchanan,	Irviss,	Mihm,	Schuster,
Cianfrani,	Isaacs,	Mills,	Sherman,
Cloff,	Jim,	Mullen,	Shupnik,
Clarke,	Jones, F. R.,	Munley,	Snider,
Comer,	Jump,	Murphy, A. J., Jr.	Stank,
Crossin,	Kamyk,	Murphy, P. J.,	Stewart,
Curwood,	Kessler,	Needham,	Sullivan,
Dougherty,	Kornick,	O'Donnell, J. A.,	Verona,
Ellberg,	Kovolenko,	O'Donnell, J. P.	Wargo,
Farabaugh,	Kubitsky,	Odoristo,	Welsh,
Filo,	Leonard,	Parlante,	Wheeler,
Fineman,	Limper,	Perry, P. E.,	Williams, A. D., Jr.,
Floyd,	Lopresti,	Petrosky,	Worley,
Flynn,	Luigard,	Polaski,	Yatron,
Foerster,	Lutty,	Polen,	Yetter,
Frank,	McCann,	Pursley,	

NAYS—89

Ashton,	Gramlich,	Magee,	Silverman,
Auker,	Guthrie,	Mahan,	Snare,
Barton,	Heavey,	Markley,	Steckel,
Bell,	Henzel,	Merry,	Stevens,
Boris,	Hocker,	Miller, B. Z.,	Stimmel,
Brenninger,	Holliday,	Miller, H. G.,	Stoner,
Brown,	Jenkins,	Monroe,	Strausser,
Burns,	Johnson, A. W.,	Muldowney,	Thompson,
Davis,	Johnson, R.,	Murray, J. J.,	Tompkins,
Dengler,	Jones, T. H. W.,	Murray, P. G.,	Trusio,
Dennison,	Kelser,	Musto,	Ujobal,
Donahue,	Kernaghan,	Naugle,	Varallo,
Donaldson,	Knecht,	O'Dell,	Varner,
Down,	Kooker,	Ogilvie,	Wall,
Edwards,	Korns,	Fashley,	Weldner,
Eshback,	Lee, A. M.,	Perry, H. H.,	Wescott,
Eshleman,	Lee, K. B.,	Price,	Whittaker,
Ewing,	Light,	Rigby,	Williams, E. S.,
Fetterolf,	Lippincott,	Riley,	Willard,
Fox,	McCandless,	Royer,	Willaredt,
Galley,	McInroy,	Schwartz,	Wilt,
Gibb,	McKeever,	Seltzer,	Zimmerman,
Goodrich,			

NOT VOTING—32

Agnew,	Dennis,	Kee,	Schaaf,
Anderson,	Devlin,	Lamb,	Stone,
Blair,	Frascella,	Moran,	Stroup,
Boies,	Gallagher,	Murray, H. P.,	Taylor,
Bowman,	George,	Nelson,	Walsh,
Capano,	Goldstein,	O'Neill,	Wood,
Capitolo,	Helm,	Prendergast,	Wynd,
Cooper,	Horst,	Rudisill,	Andrews,

Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the drive-ways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Gallagher,	McCann,	Rigby,
Arlene,	Garlock,	McCormack,	Riley,
Ashton,	Gelfand,	McDonald,	Rovansek,
Auker,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Sakulsky,
Barton,	Goldstein,	McLaughlin,	Scarcelli,
Bell,	Goodrich,	Machmer,	Schuster,
Bonner,	Gramlich,	Magee,	Schwartz,
Boris,	Guthrie,	Mahan,	Seltzer,
Bower,	Hamilton,	Markley,	Sherman,
Branca,	Heavey,	Maxwell,	Shupnik,
Brenninger,	Hefner,	Meholchick,	Silverman,
Breth,	Henzel,	Merry,	Snare,
Brown,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irviss,	Monroe,	Stewart,
Cloff,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Thompson,
Davis,	Jones, F. R.,	Murray, H. P.,	Tompkins,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Dennis,	Jump,	Murray, P. G.,	Ujobal,
Dennison,	Kamyk,	Musto,	Varallo,
Devlin,	Kee,	Naugle,	Varner,
Donahue,	Kelser,	Needham,	Verona,
Donaldson,	Kernaghan,	O'Dell,	Wall,
Dougherty,	Kessler,	O'Donnell, J. A.,	Walsh,
Down,	Knecht,	O'Donnell, J. P.	Wargo,
Edwards,	Kooker,	Odoristo,	Weldner,
Ellberg,	Kornick,	Ogilvie,	Welsh,
Eshback,	Korns,	O'Neil,	Wescott,
Eshleman,	Kovolenko,	Parlante,	Wheeler,
Ewing,	Kubitsky,	Fashley,	Whittaker,
Farabaugh,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Fetterolf,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Filo,	Lee, K. B.,	Petrosky,	Willard,
Fineman,	Leonard,	Polaski,	Willaredt,
Floyd,	Light,	Polen,	Wilt,
Flynn,	Limper,	Prendergast,	Worley,
Foerster,	Lippincott,	Price,	Yatron,
Fox,	Lopresti,	Pursley,	Yetter,
Frank,	Luigard,	Reibman,	Zimmerman,
Frascella,	Lutty,	Reidenbach,	
Fulmer,	McCandless,	Renwick,	Andrews,
Galley,			Speaker

NAYS—0

NOT VOTING—16

Anderson,	Capano,	Nelson,	Stroup,
Blair,	Cooper,	Rudisill,	Taylor,
Boies,	Helm,	Schaaf,	Wood,
Bowman,	Moran,	Stone,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 446, Printer's No. 1814 and

House Bill No. 591, Printer's No. 1844

were passed over temporarily at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 818, entitled:

An Act amending the act of July 25, 1913 (P. L. 1024) entitled "Women's Labor Law" prohibiting the working of women for more than six consecutive days without at least one day of rest.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mrs. KOOKER. Mr. Speaker, since this bill has been amended and no longer contains the intent of the bill as it was when I became a sponsor of this bill, I wish to withdraw my sponsorship from this bill. I cannot support it in its present form.

Mr. GAILEY, Mr. Speaker, I certainly have no quarrel with the lady from Bucks with regard to this bill. She is certainly at liberty to sponsor the bill or withdraw her sponsorship.

I would like to point out to the House, however, what this bill does as it has now been amended. This is a bill which has its direct impact on the working hours of women. You can obviously see that by the sponsorship on the bill.

Originally this bill was objected to by the telephone operators themselves, because many of them like to be able to work two five-day weeks back to back—in other words, ten days in a row—so that they have four days off at the end of the ten-day period. This bill as it was originally drawn would not have permitted this.

Then an amendment was placed in this bill exempting public utilities entirely from the operation of the bill, and it seemed to those of us who sponsored this amendment that this, too, was improper.

Finally an amendment was worked out which says that with the approval of the Secretary of Labor and Industry, female employees may work ten consecutive or non-consecutive days within a two-weeks period. In other words, employees such as telephone operators who desire to work two five-day weeks back to back, so that they can have four days off, will be permitted to do so under the terms of this bill. At the same time, female employees in other industries—and I am thinking particularly of the restaurant industry where there have been some very bad abuses as to the working hours of women—will be protected by this act so that their employers will not be able to take advantage of them.

As I say, the lady from Bucks is certainly entitled to do whatever she wants to do with regard to this bill. I think, however, that it is sound legislation and that it will protect our working women. I ask Members on both sides of this House to vote for this bill.

On the question recurring,
Shall the bill pass finally?

BILL RECOMMITTED

Mrs. B. Z. MILLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for the purpose of further study.

On the question,
Will the House agree to the motion?

A division was called for, eighty-six Members having voted in the affirmative and seventy-one in the negative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION CONGRATULATIONS

Messrs. WESCOTT and WYND asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

Susan Bertholf, a beautiful 20 year old horsewoman, was crowned 1959 Livestock Rodeo Queen at the famed Pennsylvania National Horse Show.

Miss Bertholf, the daughter of Mr. and Mrs. James Bertholf of South Montrose, Susquehanna County, Pennsylvania, prevailed over 17 other candidates from Pennsylvania during a day-long competition which included judging for poise, personality and horsemanship. Her reign will cover the third annual Pennsylvania Livestock Exposition and World Championship Rodeo in Harrisburg November 9-14.

The Eastern Milk Producers Cooperative Association sponsored Miss Bertholf who has been riding for 14 years, during which time she has won more than 200 trophies and ribbons.

Miss Bertholf loyally chose to ride "Little Jim," one of her own Susquehanna County horses with which she has seen many triumphs, for her introduction and Grand-entry at each performance at the Rodeo; therefore, be it

Resolved, That the House of Representatives highly commend the perseverance and good sportsmanship of Miss Susan Bertholf as well as congratulate her for being chosen as the 1959 Livestock Rodeo Queen; and be it further

Resolved, That a copy of this resolution be sent to Miss Susan Bertholf, South Montrose, Pennsylvania.

REPORT FROM COMMITTEE

Mr. POLASKI from the Committee on Cities Third Class, reported as amended, House Bill No. 1162, entitled:

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275), changing the mode for the advance in classification of cities upon their increase in population.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, before we recess I should like to inform the Members of this House who are checking with the Senate regarding the operation of this House, this House will be in session tomorrow.

A Veterans' Day program is also scheduled in the House promptly at 11:00 o'clock. The principal speaker on our program is General Biddle, who will speak here at the observance of Veterans' Day.

The House will convene tomorrow morning at 10:00 o'clock. We would say to all the Members who are coming here and telling us the Senate is going to recess for a period of ten days, that there is nothing we can do about whether they are going to recess or not, but this House will operate as scheduled. We are going to clean up this calendar; the bills are going to fall or they are going to pass.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. In that we are convening tomorrow at 10:00 o'clock, there is a strong inference then that we will not be here on Thursday, is that right?

Mr. McCANN. There is no inference or agreement yet. We are going into a conference during the break. The Conference Committee asks two questions to be answered, and during this break we are going to see if we can deliver the answers to two questions so that we may know whether the Conference Committee report on the General Appropriations Bill and 63 other bills will be agreed to.

Mr. A. W. JOHNSON. Well, you have left it dangling.

Mr. McCANN. I certainly have because if we agree to the answers that they want on two particular questions, I feel the Conference Committee then should go back, complete the report, sign it and prepare it to move right through. We can prepare ours and have it here in the House for operation and completion.

Mr. A. W. JOHNSON. Then I take it the gentleman will have another announcement before the day is over, is that correct?

Mr. McCANN. No later than tomorrow, Mr. Speaker, because we will be meeting with Senator Kessler and the other gentlemen.

RECESS

The SPEAKER pro tempore. Without objection, the Chair now declares a recess for one hour and a half.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR

BILL INTRODUCED AND REFERRED

By Mr. POLASKI. HOUSE BILL No. 2444.

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. J. J. MURRAY. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1207.

The SPEAKER. the report will lie over for printing under the Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 804.

An Act repealing Section 5 act of June 13, 1837 (P. L. 551) entitled "An act relating to roads highways and bridges" abolishing certain requirements concerning breadth of roads.

HOUSE BILL No. 2429.

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June

first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 2302 and 2322.

BILL ON SECOND READING

Mr. McCANN. Mr. Speaker, I would like to have permission at this time to go to Bills on Second Reading on page 3 of the calendar, Senate Bill 1059, Printer's No. 1545. There is another amendment that needs to be offered, a corrective amendment. Mr. Johnson has also checked this amendment.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading as amended be reconsidered.

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which the various sections and title passed second reading as amended be reconsidered.

The motion was agreed to.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 2 (Sec. 314), page 13, lines 4 to 8, by striking out "Provided That the" in line 4, all of lines 5 to 7 and "testimony or the examination of the physician of any other party" in line 8.

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 4 (Sec. 319), page 15, line 15, by striking out "injury and."

Amend Sec. 4 (Sec. 319), page 15, line 15, by striking out the brackets before and after "was."

Amend Sec. 4 (Sec. 319), page 15, line 15, by striking out "were".

They were agreed to.

The section was agreed to as amended.

The fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 446 on page 7 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mrs. REIBMAN. Mr. Speaker, in reference to House Bill 446, this is a simple bill which would make the children born of void or voidable marriages legitimate for all purposes. There is quite a bit of misunderstanding about this bill, and if I may have the permission of the House, I would like to make a brief clarification.

We must understand that in order for this bill to operate there has to first be a marriage. The definition of a void marriage is one which at no time had any validity, which means that even though a couple went through a marriage ceremony, that in law because of a certain impediment, which in the case of void marriages such as bigamy because one of the spouses was married at the time he contracted this second so-called marriage, that this second marriage in law is now void.

A voidable marriage is another case where a couple has gone through a "marriage," when I use the word "marriage" I put the quotation marks around it because it is a voidable marriage, one which is good until annulled by judicial decree. A voidable marriage is entitled to recognition as a marriage until directly attacked. When the courts void or annul a voidable marriage the marriage is rooted up right from the beginning, ab initio, and declared to be a marriage which in fact never existed because of the legal impediment which prevented this couple from entering into a contract for a marriage.

In Pennsylvania from 1859 until 1935 statutory grounds for annulment were restricted only to bigamy, but in 1953 the Legislature, under an Act, said that in all cases where a supposed or alleged marriage shall be contracted which is absolutely void by one of the parties thereto having a spouse living at the time this is a void marriage because of bigamy, or if for any other lawful reason the supposed or alleged marriage was absolutely void when contracted such supposed or alleged marriage may upon the application of either party be declared null and void.

When a marriage is declared null and void this differs from a divorce action. In a divorce action the court cuts off the marriage as of the time the decree is entered, and the legitimacy of children which resulted from this divorced marriage is not disturbed. But in a marriage which is declared void right from the beginning, it is as if no marriage had occurred, the children or the issue of such a marriage is declared illegitimate.

There have been several questions raised. Does this do away with illegitimacy? We must understand that a meretricious arrangement, or an adulterous arrangement is not affected by this bill. The legitimacy of these children according to this bill, only occurs where there has been a marriage, but a marriage which is legally not a marriage because of certain impediments.

The impediments are marriages made in jest, marriages void by reason of insanity or intoxication, marriages between a respondent and correspondent in adultery, or marriage contracted by minors.

It would seem to me that public policy would decree that in Pennsylvania we, too, follow the modern trend of the law which is to presume that children are legitimate, and I am here in this bill trying to preserve the legitimacy of innocent children who are born of parents who went through a marriage ceremony but for some legal reason or other the courts have declared such a marriage null and void. The interests of these children definitely should be protected since we know who the parents are. These children should be able to share in all of the property rights as if lawfully born of the father and mother.

I might indicate to you that the Pennsylvania Bar Association has introduced House Bill 1181, which is the new proposed marriage code, and has included among its provisions the subject matter of this bill. So the Pennsylvania Bar Association, too, has recognized the modern trend of many states which legitimize the children which are born of void or voidable marriages.

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the sponsor of the bill very briefly.

The SPEAKER pro tempore. Will the lady from Northampton permit herself to be interrogated?

Mrs. REIBMAN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, I would like to ask the lady if a common law marriage that was later declared not to be a valid, common law marriage would be considered a void or voidable marriage within the terms of this bill?

Mrs. REIBMAN. Mr. Speaker, to have a void marriage, there must be bigamy involved. A voidable marriage there would be different grounds for voidability. For instance, as I mentioned to you, marriages in jest, where one of the parties was insane, or children under seven years of age.

Mr. LIPPINCOTT. Well, Pennsylvania does recognize a common law marriage, is that not correct?

Mrs. REIBMAN. Pennsylvania recognizes a common law marriage, but to have a common law marriage there must be the element of a contract. That is the elemental part of a common law marriage, where two people contract between themselves that they are going to be married. They must live together as husband and wife, it must be proved that there is a marriage.

Mr. LIPPINCOTT. Assuming an alleged contract is entered into between two people and they do live together and have children, but later find that one of them was unable to enter into a common law marriage by reason of another pre-existing marriage, would not that be a void marriage under this bill?

Mrs. REIBMAN. Yes. The children would be illegitimized. Under this bill the children then would be declared legitimate.

Mr. LIPPINCOTT. Under this bill then, the illegitimate children would inherit from their father, even though there was a void common law marriage, is that not right?

Mrs. REIBMAN. Yes. Are you thinking in terms of, where there is another marriage and children by that marriage?

Mr. LIPPINCOTT. That is right. I am talking about a void or illegal common law marriage.

Mrs. REIBMAN. Where there is bigamy.

Mr. LIPPINCOTT. Which under this bill would give those children the right to inherit, is that not correct?

Mrs. REIBMAN. Yes. Let me answer by saying this: a father of illegitimate children, if we are going to use the word illegitimate children, can by his will, by his own voluntary act, by signing a judgment note, by writing a will, by forfeiting his property, disinherit his first legitimate children. Why should the court permit this same father, who by his voluntary will entered into a marriage, fathered these children, why should the court then protect him from further support of these children? Are they not just as much his voluntary act as writing a will to disinherit his first legitimate children?

Mr. LIPPINCOTT. Well, of course, he can leave his estate to his illegitimate children under the law today if he wants to.

Mrs. REIBMAN. It is his estate; he can do with it as he pleases. These are also his children. They deserve the right to be protected.

Mr. LIPPINCOTT. I would like to carry this one step further, if I may. Assuming that there are illegitimate children of this void common law marriage and the illegitimate child, let us say, dies, would not the mother of that illegitimate child then have a right to come in and claim the estate of the person whom she was living with under this void common law marriage, as the heir of that child?

Mrs. REIBMAN. She has been the wife—

Mr. LIPPINCOTT. Illegal wife, that is.

Mrs. REIBMAN. Illegal wife, so to speak, but she entered into a marriage contract.

Mr. LIPPINCOTT. Which was void.

Mrs. REIBMAN. Which was void. Why should she as an innocent spouse—we are interchanging terms, you realize—not share in her child's estate?

Mr. LIPPINCOTT. I thank the lady.

Mr. Speaker, the lady mentioned House Bill No. 1181 which is the new proposed marriage code that is recommended by the Joint State Government Commission. I happen to be one of the sponsors of that bill.

I think this bill is using the wrong approach to correct the situation. That bill, that is, 1181, abolishes common law marriages in Pennsylvania, and I think most people agree it is a good thing to abolish common law marriages. But this bill just takes one segment of the marriage code and, I think, completely distorts the law. I think this will result in a very drastic change in the laws of inheritance in Pennsylvania that have been in existence since the Commonwealth began. I believe that the marriage code itself should go through, but I do not think this one bill is a good idea.

Mr. McCORMACK. Mr. Speaker, may I interrogate the sponsor of the bill please?

The SPEAKER pro tempore. Will the lady permit herself to be interrogated?

Mrs. REIBMAN. I shall, Mr. Speaker, but I do not purport to be an expert on illegitimate children.

Mr. McCORMACK. I did not intend to question the sponsor, but as a result of an answer that was given to the gentleman from Delaware, I want to see if the lady would clarify that.

I was under the impression when the gentleman asked whether or not it was true that this illegitimate child who inherited from his father's estate, the wife, or rather his mother, in the event that the child died would share in his estate. Is that correct?

rs. REIBMAN. Well, now I am wondering whether we are confusing the terms of illegitimate child.

Mr. McCORMACK. All right. Let me put it this way: in the case where there is a void marriage by virtue of the fact that the wife already was married and had not been divorced from her husband, she marries "X." "X" dies and the son inherits the estate, the son born of the second marriage. He dies. The mother could inherit that son's estate, is that right?

I believe you said that she was the innocent party?

Mrs. REIBMAN. But you see the estate has already passed to this child who has become legitimate, because of this. Now that legitimate child stands in the same position as any other legitimate child. It is his estate and it would then devolve the same way that any estate owned by a legitimate child would devolve.

Mr. McCORMACK. Let us say that child is single and he dies without leaving a will. You are saying then that the money he inherited from the father would go to his mother.

Mrs. REIBMAN. His share would go to his mother.

Mr. McCORMACK. It would go to his mother, is that right?

Mrs. REIBMAN. That is my understanding.

Mr. McCORMACK. And it would go to his mother despite the fact that she was not the innocent spouse? Is that right?

Mrs. REIBMAN. But, we do not know whether—

Mr. McCORMACK. Well, I am assuming a situation where the mother of that child deliberately perpetrated a fraud upon the man by saying that there were no impediments to the marriage, yet she married him knowing there was already a valid marriage that impeded her from lawfully entering into this contract. Is it not a fact that she would share in that son's estate?

Mrs. REIBMAN. She could. Yes. But the situation can also be reversed. She can be an innocent spouse and the husband can knowingly be a bigamist. I mean it is six of one and half a dozen of the other.

Mr. McCORMACK. In other words, you are saying there are equities in this bill, and there are also possible inequities?

Mrs. REIBMAN. No, I am not saying that.

Mr. McCORMACK. Well, would you not say that was an inequity?

Mrs. REIBMAN. Mr. Speaker, in answer to the gentleman's question may I say this: the entire intent and purpose of this bill is not to stigmatize children who have nothing whatsoever to do with anybody's marriage, whether it is an innocent woman who was taken advantage of, if I may use that word, or an innocent man who was a party to a bigamist marriage. The fact remains that these children, when the marriage is void, or by court decree is a voidable marriage, by a stroke of the judge's pen, these children are then stigmatized with the word

"illegitimacy" and it appears on their birth record, it appears on many legal documents.

What I am trying to do with this bill is to protect the children who would suffer by the act of two other people, and these children are the wilfull act of their parents.

Mr. McCORMACK. That is all the questions I have, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, I ask the attention of all the Members, if possible, to this piece of legislation which has been introduced. Perhaps we do from time to time learn something, and today I learned something with reference to divorce and marriage.

Let us see what the bill really says. It is only one sentence, so I may as well quote it so you will not misunderstand. There is only one section that is of any importance in the bill and it states.

In all cases of a void or voidable marriage all children born to the parties of such void or voidable marriage shall be deemed the legitimate children of both parties of such void or voidable marriage for all purposes.

The previous speaker apparently obtained part of the law from the same text book that I did. But actually she says there must be a marriage and in that she is mistaken, because the law as introduced states there is no marriage that occurs. A void marriage is a non-existent marriage and the definition of a void marriage, to which she would agree, is one which at no time had any validity because some impediment existed at the time of the marriage. A void marriage can be entered into by jest; it can be where both parties are insane at the time of entering into the ceremony. It can be where they have involuntarily become so intoxicated that none of them realized actually what they are doing at the time. It can be a marriage that is the result of bigamist conduct on the part of one or both of them.

A voidable marriage, on the other hand, is one which is good until annulled by official decree, and that is where we have our divorce laws at the present time. As a result of fraud, force or coercion, as a result of adultery, adulterous conduct, on the part of the parties, or as the result of bigamy or other conduct.

First, let us consider the property rights, not of the illegitimate child or the illegitimate parent; let us consider first of all the property rights of the innocent party, bearing in mind that nowhere in this bill does it state that the parties have entered into any ceremony or into any void or voidable marriage in good faith whatsoever. It just says "void or voidable marriages," with the absence of any good faith between the parties. Where a widow should be entitled to one-half of all the man's property under our present law, because she is the legitimate wife or spouse of that party, her property rights are therefore reduced by an illegitimate child through some adulterous conduct, disgraceful conduct of a party, to a one-third interest. The same occurs where a party leaves one child and a widow. The rights of the child are reduced from one-half to one-third. The innocent child's rights, the innocent widow's rights, both of them are reduced from one-half to one-third. Neither of those facts can be denied by those who propose this bill.

Let us see what a marriage really is. A marriage is understood and deemed to be a status, and its essential in-

cidents are molded by law and cannot be molded by mere agreement of the parties. Such attempt to change what is a sacred relationship is certainly illegal.

The Legislature should denounce any attempt to evade the laws which are applicable to marriage relationship, to our property rights, to our divorces. It is clearly against public policy and against the law of decency. It is nothing more than an attempt, in my opinion, to legalize prostitution and at a certain price. It also means permitting one person to go from one employment as such, to another and for the purpose of illegal, improper, immoral and cowardly relationships. Conduct which is void of reason, void of God and God's will, is void of your rights of sanctity, of any proper conduct and relationship. For all these reasons I ask for the defeat of this bill.

Mr. MAXWELL. Mr. Speaker, I would like to reply to just one statement that Mr. Sherman made.

I would like to take exception to one statement that the gentleman made. He said this bill would legalize prostitution. That is what he said, or did I misunderstand him?

May I interrogate Mr. Sherman?

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHERMAN. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, did I misunderstand the gentleman when he said that this bill would legalize prostitution?

Mr. SHERMAN. That is correct.

Mr. MAXWELL. What is correct? Did I misunderstand you or did you say that?

Mr. SHERMAN. I said it and I repeat it.

Mr. MAXWELL. Thank you, Mr. Speaker.

I again repeat, if by legalizing prostitution I could remove the stigma of illegitimacy from any child born in this Commonwealth, then I will vote for legalized prostitution and I am going to vote for this bill.

Mr. IRVIS. Mr. Speaker, this is the type of issue which arouses in any intelligent debating society a great deal of emotional response. I think there have been some intemperate remarks made on the floor of this House today by men who, on careful survey of the proposed legislation, would be obliged, in all intelligence, to retract.

This bill in no manner, shape or form proposes to make legitimate anything which is now illegal. This bill is more interested in the future of boys and girls than it is in property rights.

I, too, Mr. Speaker, am an attorney at law and I realize that attorneys very often talk down a measure because they fail to get to the point quickly. I think the point of this measure is this, when you have a situation in which innocent children are about to be branded "illegitimate" for the rest of the days of their lives because of the present status of the law and this bill would change that.

Let me give you one illustration which I think Mrs. Reibman might have given you had she not been interrogated so thoroughly by the lawyers on the floor of this House.

We have seen cases in this Commonwealth, Mr. Speaker, where John Jones marries Mary Smith and the couple have three children. After the birth of the third child it is discovered that Mary Smith was insane at the time of the marriage. There was no other impediment to the marriage at all except this impediment. The law says that Mary Smith, because of her insanity, was incapable of

consenting to the marriage. The law now says that these three children are illegitimate. This bill would simply change that matter and say that these three children, born in complete innocence, would be legitimate children of Mary Smith and John Jones, and that is all the bill says.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—143

Agnew,	George,	Machmer,	Seltzer,
Auker,	Gibb,	Magee,	Shupnik,
Balthaser,	Goodrich,	Markley,	Snare,
Bell,	Gramlich,	Maxwell,	Snider,
Blair,	Hamilton,	Meholchick,	Stank,
Bonner,	Heffner,	Merry,	Steckel,
Boris,	Henzel,	Mihm,	Stevens,
Bower,	Hocker,	Miller, B. Z.,	Stewart,
Brenninger,	Holliday,	Miller, H. G.,	Stimmel,
Breth,	Horst,	Mills,	Stoner,
Buchanan,	Irvia,	Munley,	Strausser,
Burns,	Jenkins,	Murphy, A. J., Jr.,	Thompson,
Cianfrani,	Jim,	Murray, H. P.	Tompkins,
Cioffi,	Johnson, R.,	Murray, J. J.,	Trusio,
Clarke,	Jump,	Murray, P. G.,	Ujobai,
Comer,	Kamyk,	Musto,	Varallo,
Crossin,	Kee,	Needham,	Varner,
Curwood,	Kelser,	Nelson,	Verona,
Davis,	Kessler,	O'Dell,	Wall,
Dengler,	Knecht,	O'Donnell, J. A.,	Walsh,
Dennison,	Knick,	O'Neil,	Wargo,
Devlin,	Korns,	Perry, H. H.,	Weidner,
Donahue,	Kovolenko,	Petrosky,	Wescott,
Donaldson,	Kubitsky,	Polaski,	Wheeler,
Down,	Lamb,	Polen,	Whittaker,
Edwards,	Lee, K. B.,	Prendergast,	Williams, A. D., Jr.,
Eshback,	Leonard,	Price,	Williams, E. S.,
Farabaugh,	Limper,	Pursley,	Willard,
Filo,	Lopresti,	Reibman,	Willaredt,
Flynn,	Luigard,	Reidenbach,	Wilt,
Fox,	Lutty,	Renwick,	Worley,
Frank,	McCandless,	Rigby,	Wynd,
Fulmer,	McCann,	Rovansek,	Yetter,
Galley,	McDonald,	Royer,	Zimmerman,
Gallagher,	McInroy,	Sakulsky,	Andrews,
Garlock,	McLaughlin,	Schuster,	Speaker

NAYS—44

Arlene,	Gelfand,	Lippincott,	Parlante,
Ashton,	Goldstein,	McCormack,	Pashley,
Barton,	Guthrie,	McKeever,	Perry, P. E.,
Branca,	Holt,	Mahan,	Riley,
Brown,	Isaacs,	Monroe,	Scarcelli,
Dougherty,	Johnson, A. W.,	Muldorney,	Schwartz,
Ellberg,	Jones, F. R.,	Mullen,	Sherman,
Eshleman,	Kernaghan,	Murphy, P. J.,	Silverman,
Fineman,	Kooker,	O'Donnell, J. P.,	Sullivan,
Floyd,	Lee, A. M.,	Odoriso,	Taylor,
Foerster,	Light,	Ogilvie,	Welsh,

NOT VOTING—21

Anderson,	Dennis,	Helm,	Schaaf,
Bales,	Ewing,	Jones, T. H. W.,	Stone,
Bowman,	Fetterolf,	Moran,	Stroup,
Capano,	Frascella,	Naugle,	Wood,
Capitolo,	Heavey,	Rudisill,	Yatron,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1002, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle

Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing additional enforcement procedures on traffic violations in boroughs, towns and townships.

On the question,

Will the House agree to the bill on third reading?

Mr. ISAACS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1203), page 2, line 9, by striking out "A POLICE OFFICER IN UNIFORM."

Amend Sec. 1 (Sec. 1203), page 2, line 10, by inserting after "who": "is in uniform and."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we would like to request permission of the House for the Republican side to hold a ten minute caucus. We will return promptly in ten minutes.

I would like all Members on the Republican side to proceed immediately to the Republican caucus room.

Mr. McCANN. Mr. Speaker, this caucus is to be a very short caucus on two particular items that they want to take up. I ask that all our Democrat Members stay right here because we will come right back on special orders of business on three different bills that are ready to roll.

RECESS

The SPEAKER pro tempore. The Chair now declares a recess for ten minutes.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN, DOUGHERTY, BRETH and
DEVLIN. HOUSE BILL No. 2445.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for the length of regular sessions of the General Assembly.

Referred to the Committee on Judiciary.

By Messrs. DAVIS, RENWICK, GARLOCK and
WYND. HOUSE BILL No. 2446.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies shall first be based on assess-

ments from valuations made with the use of the permanent system of records.

Referred to the Committee on Rules.

By Messrs. MIHM and BOWER. HOUSE BILL No. 2447.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, ***," changing the compensation of members of the General Assembly.

Referred to the Committee on Rules.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FINEMAN. Mr. Speaker, House Bill 1108 is a very complicated piece of legislation and most difficult to understand, particularly for one who is untrained in matters of educational reimbursement, and because of this reason I would like to have some Member who is in favor of this bill enlighten me on several points. For that purpose I respectfully ask to interrogate some proponent of the bill.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader, with the request that the Majority Leader designate some member to debate the bill, or to answer the questions.

The Majority Leader yields to the gentleman from Washington, Mr. Polen.

Mr. FINEMAN. Mr. Speaker, under the present law is there any school district in Pennsylvania that gets 100 percent reimbursement of all of its educational costs from the Commonwealth?

Mr. POLEN. I understand there is not, Mr. Speaker.

Mr. FINEMAN. May I preface the question which I was next going to ask with this preliminary question? Do I take it that you are a proponent of this bill?

Mr. POLEN. Mr. Speaker, I have stated many times on the floor of this House that I am in favor of increasing the payments to the public schools.

Mr. FINEMAN. Well, 2354 likewise had as a result increasing payments to schools, but it is the way of increasing the payments I am concerned about and I would like to know if you are speaking now as a proponent of the bill in answering my questions?

Mr. POLEN. Mr. Speaker, I certainly intend to vote for the bill.

Mr. FINEMAN. I thank the gentleman.

Am I safe in saying that the gentleman subscribes to the position that school districts should assume some portion

of the total cost of education based on their ability to pay?

Mr. POLEN. I do, Mr. Speaker.

Mr. FINEMAN. And would the gentleman say that there are any school districts in this Commonwealth that are so poor that they could not bear any part of the total cost of education?

Mr. POLEN. Mr. Speaker, I do not believe we have any school district in Pennsylvania that could not pay some portion of the cost.

Mr. FINEMAN. Now, under the provisions of this bill the maximum state subsidy is increased from \$5,800 to \$6,300. Is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FINEMAN. Now the formula by means of which school districts are reimbursed is changed, is it not, under the provisions of this bill, so that a school district which now gets the total amount of its cost for education per teaching unit gets up to a maximum \$6,300?

Mr. POLEN. No, that would not be correct, Mr. Speaker, that is the maximum subsidy base from which you would deduct the local effort, then use your reimbursement fraction and that would be the part that would be reimbursed to them.

May I say, Mr. Speaker, that the reimbursement formula in 1108 is exactly the same as the reimbursement formula in 2354.

Mr. FINEMAN. I have before me a memorandum which is in essence an analysis of House Bill 1108 which has been prepared by Mr. C. N. Hanner, President of the Pennsylvania Association of Chief School Administrators, and he says in his analysis that the district's reimbursement is computed as follows:

The number of teaching units multiplied by the cost of a teaching unit, or \$6,600 if the cost exceeds the maximum subsidy, less the local effort, and so forth, which means that if a local school district's costs are less than \$6,600 per teaching unit they get 100 percent reimbursement.

Mr. POLEN. No, that is not correct, Mr. Speaker.

Mr. FINEMAN. What other definition or understanding can be placed on this?

Mr. POLEN. I do not have the analysis to which the gentleman is referring but I have worked out for my own school district, and it would be impossible in debate to explain just how it is arrived at because it is rather complicated, and it always has been, but we will say that—I believe the gentleman used \$6,600 under this bill it is \$6,300—you would deduct local effort, which I believe is 4.9, and then you would take your reimbursement fraction and that is the amount that they would be paying. If it is 50 percent, they would get half of that difference, if it was 75 percent, they would get 75 percent of it. Again I repeat there is no change in the formula as contained in 2354 so far as the reimbursement is concerned. The difference is only in the counting of the pupils.

In 1108 only those in the public schools are counted; under 2354 the public and private schools were counted, and the only difference would be you would arrive at more teaching units under 2354. There would be no difference in the formula. You would use exactly the same formula.

Mr. FINEMAN. Now further on this point, I have, and I submit this to the gentleman respectfully, I feel that you are very much in error. I have before me a

communication that I think every Member of the House got from the Pennsylvania State Chamber of Commerce, where they raised a number of points about this bill, and dealing with the point which we are now discussing, they say this:

Schools spending less than the state's prescribed equalization level would be eligible to receive a 100 percent reimbursement from the state government for additional instructional costs incurred up to that level. Such a provision in the subsidy law may discourage careful evaluation of increased school expenditures, especially in view of the fact that increased state funds of as much as \$1,500 per teaching unit are proposed over a two-year period.

It seems to me that the Pennsylvania State Chamber of Commerce has come up with the same answer in their analyzation that I came up with in reading this formula, and that is in working out the formula up to the point of \$6,300 a school district can get reimbursement of 100 percent of its instructional cost. As a matter of fact as being further confirmatory of that position is the fact that on page 13 of House Bill 1108 the act specifically deletes certain items of expense which heretofore could not by specific language in the existing law be included in the definition of reimbursable instruction expense, so that by inference they are saying to us, we are taking it out here and now making these specific items of expense included in the definition of reimbursable instruction expense.

Mr. POLEN. Well, Mr. Speaker, if they have broadened the term "reimbursable expense" to include other items, that can be true, but getting back to the other part of the discussion as to the 100 percent, I say that would be impossible getting 100 percent, because you first must deduct from your maximum subsidy base the local effort of 4.9 mills which would make it impossible for any district to get 100 percent.

I might say, Mr. Speaker, that I am only attempting as best I can to explain the bill. I did not see anyone else take the floor to explain it. I have some knowledge of it, having served 18 years as a school director, but I will admit it is quite a complicated formula as it is bound to be, in an equalization program such as we are attempting here. However, I believe the gentleman is in error and the State Chamber of Commerce is in error if they say that any school district can get 100 percent, because under the formula that would be impossible.

I might further state so far as the maximum subsidy base that we are talking about now, \$6,300 proposed in this bill, which under the present Act is now \$5,800, I know in my county the school districts, I think the average is in the late seven thousandths of the cost of the teaching unit and if we are fortunate enough to have school districts in Pennsylvania that have a unit cost of less than \$6,300, I certainly think they are to be congratulated if they are providing the proper instruction as they should.

Mr. FINEMAN. Well, now I would ask the gentleman, assuming for purposes of argument that the Pennsylvania State Chamber of Commerce is correct in their analysis and that a school district could conceivably get 100 percent reimbursement, does the gentleman agree that is bad philosophy, a bad policy for the state to follow to allow any school district to get 100 percent reimbursement?

Mr. POLEN. First, Mr. Speaker, I do not agree that any school district can get 100 percent.

Mr. FINEMAN. Well, I said assuming for purposes of our argument, would the gentleman agree that it is bad philosophy to allow a school district to be reimbursed 100 percent?

Mr. POLEN. Mr. Speaker, I would say that if a school district received 100 percent they would be in such a depressed condition that everyone must be on relief and no one would be paying any local taxes. Therefore the only way they could get it would be under the distressed school district Act where they would receive money to pay teachers' salaries under that Act, and I do not think there is any school district in Pennsylvania that is or ever was in such a position that they had no tax revenues whatever.

Mr. FINEMAN. Therefore, the gentleman agrees it would be bad philosophy to allow any school district to get 100 percent reimbursement?

Mr. POLEN. Well, I can not say that I agree with that because there could be such a thing. I suppose we could have such a situation, but it is purely academic talking about it because we do not have such a situation.

Mr. FINEMAN. Mr. Speaker, the gentleman stated before, I hate to press this point, and I do not know that we need to go into it in detail, but covering it briefly, the gentleman in reply to interrogation before that he knows of no school district in this Commonwealth that is so poor that they could not assume some part, some portion, of the cost of education in that area. Is that not so?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FINEMAN. Now if that be the case, does the gentleman agree, assuming for purposes of this discussion that a school district can conceivably get 100 percent, does the gentleman concede that it would be bad philosophy and policy for any school district in the Commonwealth of Pennsylvania to get 100 percent reimbursement?

Mr. POLEN. Mr. Speaker, I do not concede that any school district could get 100 percent. How could they when first from the subsidy base, before you apply the fraction, you deduct the millage of 4.9. I believe it is proposed in this bill, and now, I believe under the present law it is $4\frac{3}{8}$ mills. That would make it impossible for such a situation to exist because before you apply the fraction,—I will admit that even if they had a 100 percent fraction, they would not receive 100 percent reimbursement. I know of no way that they could get to the point where they would have a 100 percent fraction, but assuming that they could have a 100 percent fraction, they certainly would not get 100 percent reimbursement of the subsidy base, because before you apply the fraction you first deduct the local effort, which at present is $4\frac{3}{8}$, and as proposed in this 4.9, and in the next year 5.4.

Mr. FINEMAN. Is it not a fact that under the existing law the formula does not make mention of a specific, or does not employ, let me put it that way, does not employ specific items of educational cost, but rather deals with a maximum of \$5,800 from which is to be subtracted the local effort in dollars and cents per teaching unit?

Mr. POLEN. That is the formula, Mr. Speaker.

Mr. FINEMAN. And under the law proposed in 1108 do they not change that by referring to specific costs up to the maximum of \$6,300?

Mr. POLEN. I do not have the section of the bill before me, but I believe the gentleman is correct that they clarified what would be considered reimbursable costs.

Mr. FINEMAN. All right, let us move along to the next point.

I understand that under the provisions of this bill state subsidies to those districts educating their pupils on a tuition basis would be paid in the same amount as districts are paid that provide their own educational facilities. Is that correct?

Mr. POLEN. I believe that the '57 Legislature changed the reimbursement formula that way.

Mr. FINEMAN. Now I am talking about the provisions of House Bill 1108. Does it not make provision for reimbursement to school districts who pay tuition in the same amount as they make reimbursement to school districts who educate their own children?

Mr. POLEN. I believe that is correct, Mr. Speaker, and I repeat that the formula by which the tuition was paid on a reimburseable basis was changed by the Legislature through the 1957 law putting it in and making reimbursement in this manner to the school district.

Mr. FINEMAN. As a matter of fact did not the state always subsidize at a little lower rate or level the school districts who paid tuition as distinguished from the school districts who educated their own children?

Mr. POLEN. I think the difference was where the pupils were counted, whether it was in the sending district or the receiving district. I think it was formerly counted in the receiving districts and now counted in the sending districts, in lieu of tuition.

Mr. FINEMAN. But there was this difference in the reimbursement, was there not?

Mr. POLEN. The reimbursement was in two different categories. Then the district was reimbursed on a tuition basis; now they are reimbursed on a pupil basis, the sending district.

Mr. FINEMAN. But was not the theory behind this law to encourage mergers and integration of school units because of the economy that they could effect, they felt by slightly penalizing those districts that sent their children to other school districts and paid tuition for them that by penalizing them perhaps they could encourage them to merge and effect economies that they otherwise would not effect?

Mr. POLEN. Well, Mr. Speaker, I could not say what the thinking of the 1957 Legislature was in that respect. I believe basically that the thinking was unrealistic to do what had been done in the past on a tuition basis, and it was more realistic to do it on a pupil basis or teaching unit basis. In other words, it made the whole system more uniform.

Mr. FINEMAN. Let us go to the next point, Mr. Speaker. There are certain items of expense for education for which a school district is reimbursed outside of what we term strictly educational costs, are there not?

Mr. POLEN. I do not believe so, Mr. Speaker. I believe that is one of the reasons that you have definitions in this bill.

Mr. FINEMAN. Well now, I am not talking about this bill, I am talking about the existing law. For instance, do not we make reimbursement for home bound instruction, for closed schools, for extension recreation?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FINEMAN. Well, that is what I am referring to.

Mr. POLEN. Well, that definitely is not covered in this bill 1108.

Mr. FINEMAN. Well, now just a moment, if you will bear with me, you stated before that it was your thinking that a school district should assume some part of the total cost of educating their children and not throw the whole cost of education on the Commonwealth? You agree with that, do you not?

Mr. POLEN. I do, and I believe that at the present time the local districts pay approximately 60 percent and the Commonwealth pays about 40 percent.

Mr. FINEMAN. Well, you agree with that?

Mr. POLEN. I certainly do.

Mr. FINEMAN. Now, is it not a fact that under the provisions of House Bill 1108 a school district can be reimbursed 100 percent for these special items of cost, such as, transportation, extension recreation, closed schools, home bound instruction?

Mr. POLEN. Did I understand the gentleman correctly that under 1108 that could be done?

Mr. FINEMAN. That is right.

Mr. POLEN. I do not believe that 1108 covers any of those subjects.

Mr. FINEMAN. Well now, you have a copy of the bill in front of you?

Mr. POLEN. Yes, sir, I do.

Mr. FINEMAN. May I refer you to page 19, line 8, which starts with this language: "From this sum shall be deducted the amount of Commonwealth reimbursements to the district during the year of operation for transportation," and so forth. Now, when they say "From this sum," they are referring to the calculations that were made in the prior pages for the standard reimbursement fraction or the adjusted new fraction, whatever you want to term it under the provisions of this bill. Under the provisions of this bill, in figuring up, and this is done specifically on page 13 of the bill, in redefining the word "reimbursable" instruction expenses, they have deleted the words "rentals of capital facilities and equipment, salaries and expenses for school nurses, for medical and dental services," and et cetera and a whole list of items. Now, they deleted that from the section that said "reimbursable instruction expense" which shall not include the following. Then they took that out by inference, meaning that reimbursable expense can include the following, which brings me back to this point, that a school district up to the point of \$6,300, the maximum state subsidy, can seek to get reimbursed for its total educational cost including rentals of capital facilities and equipment, salaries and expenses, school nurses, dental services and et cetera. Then they go to page 19 and they say to the extent that we are unreimbursed for those items under the basic formula we will deduct it. Now, is not that clear to you that they are seeking a 100 percent reimbursement of these items?

Mr. POLEN. Mr. Speaker, the question got so long that I lost it on the way. I would say, however, and I think what the gentleman is getting at he is construing just the opposite from what the actual experience is. In other words, when you arrive at your \$5,800 under the present law and \$6,300 is proposed for 1959 and 1960 in this bill, as your maximum subsidy base you cannot use transportation and such items as that as a part of that cost. You have to get down to the instructional items and,

certainly, if your school district has a school nurse and you are not reimbursed for any part of that, that is a part of the expense of the operation of that school.

Mr. FINEMAN. Well, the gentleman is grossly in error, very manifestly in error. As a matter of fact, I refer him again to page 13 where they redefine what can be reimbursable instruction expense.

Mr. POLEN. Where am I in error, Mr. Speaker, so that I can try and straighten this out?

Mr. FINEMAN. Well, the language in the bill reads, "In each case reimbursable instruction expense per teaching unit shall be the sum of (i) and (ii) below but in no case shall include expenses for debt service or for capital outlay, "and then the existing laws enumerated other things, such as, rental of capital facilities and equipment, salaries and expenses and so forth. Then they have deleted the specification of these items by very clear inference means that these items are now included in the definition of reimbursable instruction expense.

Mr. POLEN. What page is the gentleman on and what line?

Mr. FINEMAN. I am on page 13.

Mr. POLEN. 13. What line?

Mr. FINEMAN. Starting with line 12.

Mr. POLEN. All right.

Mr. FINEMAN. Let me give him this additional piece of information, which again comes from the analyzation that was prepared by Mr. Hanner, president of the Pennsylvania Association of Chief School Administrators. It says "Reimbursable instruction expense per teaching unit. All costs of educating a child used in the computation except debt service charges, capital outlay, dental services and tuition payments." It is very clear that they have now redefined the words "reimbursable instruction expense."

Mr. POLEN. Well, Mr. Speaker, on page 13, starting at—what line did you say?

Mr. FINEMAN. Line 12.

Mr. POLEN. We will take it in each case. "Reimbursable instruction expense per teaching unit shall be the sum of (i) and (ii) below, but in no case shall include expenses for debt service or for capital outlay." Now the "rentals of capital facilities and equipment, salaries and expenses for school nurses" and so on is taken out.

Mr. FINEMAN. Right. That is exactly my point.

Mr. POLEN. What is the point?

Mr. FINEMAN. The point is that under the definition of reimbursable instruction expense for purposes of calculating the formula we are now including these special items such as homebound instruction, extension, recreation and so forth. Now, the provisions of the existing law, by means of which school districts are reimbursed for these items, is in no way changed, so that they get it under that provision and they likewise get it in the formula.

In order not to be entirely inequitable, on page 19 they extend credit for where they have gotten reimbursement under the provision of the existing law, which means, clearly means, that a school district can now be reimbursed 100 percent for these items other than what we truly know to be educational expense.

Mr. POLEN. Mr. Speaker, I again do not agree with it,

but I am going to ask the gentleman a question. In Philadelphia, for instance, do you have dental service in the schools?

Mr. FINEMAN. Do we have what, sir?

Mr. POLEN. The dental program?

Mr. FINEMAN. Yes.

Mr. POLEN. Is that not a part of the regular cost of operating that school district?

Mr. FINEMAN. It is part of the cost of operating the school district, yes.

Mr. POLEN. Then why should that not be included as a part of the expense?

Mr. FINEMAN. Well, no one is saying that it should not be. I am saying that no school district should be placed in a position where it can get 100 percent reimbursement. Local school districts should be in position to pick up some part of the total tab, and this bill makes it possible for them to get total 100 percent reimbursement. That is the inequity in the bill.

Mr. POLEN. Well, Mr. Speaker, I do not know how I can convince the gentleman that no district can get 100 percent reimbursement, but to say it very plainly, if your local effort is more—under this bill I believe it is 4.9 mills—you have to deduct that from your base of \$6,300 before you apply the fraction, so you therefore know that it is impossible for any district to get 100 percent.

Mr. FINEMAN. Mr. Speaker, you are evading the specific point I am trying to make. I am not talking about the basic formula now, I am talking about the specific items of expense, such as homebound instruction, I am saying that a school district under House Bill 1108 can get 100 percent reimbursement for these items, which they do not get today.

Mr. POLEN. Mr. Speaker, we do not reimburse on items, we reimburse on the total cost of the teaching unit.

Mr. FINEMAN. Well, that is merely a play on words, whatever you want to term it. You know exactly what I mean. I am talking about the total cost of homebound instruction, total cost of closed schools, all the other items I have enumerated a half dozen times for you. I am saying to you that a school district under the provisions of 1108 can get 100 percent reimbursement.

Mr. POLEN. Well Mr. Speaker, let us take one item at a time. The gentleman mentioned closed schools. Now where in this bill does closed schools appear?

Mr. FINEMAN. Let me ask you a question, if you will, sir.

Mr. POLEN. Well, I would—

Mr. FINEMAN. Let me ask you a question. It may just very well be that closed schools is not there, but there are at least a dozen items on my sheet here that are covered there. For instance, let us take the item of rentals, which is the very first item that appears on line 15, page 13, "rentals of capital facilities." Now can you tell me how, under existing law, a school district is reimbursed for rentals of its capital facilities?

Mr. POLEN. Yes, Mr. Speaker. I think they always have been. I do not think that is anything new. I believe for reimbursement for rentals we have something around \$48 million in this present general appropriation bill. We have been doing that all along.

Mr. FINEMAN. Mr. Polen, I asked a very simple question. I do not know if you have the information to give me the answer, but this is my question: How under existing law is a school district reimbursed for rentals for capital facilities? What provision is made in existing law for reimbursing them?

Mr. POLEN. Mr. Speaker, that is already provided in existing law.

Mr. FINEMAN. I know it is. I am asking what is the provision? How is it done? Is it by the number of students, by a fraction; how is it done?

Mr. POLEN. It is done by the fraction.

Mr. FINEMAN. By a capital fraction, is it not? Capital reimbursement fraction?

Mr. POLEN. That is right.

Mr. FINEMAN. And that has nothing to do with the principle fraction for reimbursement of education subsidies, is that right?

Mr. POLEN. That is correct.

Mr. FINEMAN. Now, we come to the calculation of the principle formula. In the calculation of the principle formula, the way 1108 is worded, are not rentals of capital facilities included as an item of reimbursable instruction expense? And you must of necessity say yes in that answer by the very language that appears on page 13.

Mr. POLEN. Mr. Speaker, I do not think I am going to convince the gentleman, but my answer is no.

Mr. FINEMAN. Well, in reply to that I would say you have refused to acknowledge what the truth of the situation is. You are just blinding yourself to the truth of the situation.

Mr. POLEN. Mr. Speaker, we are discussing things here—for instance, closed schools—which have nothing in the world to do with 1108. It is not mentioned in it any way. It is not used in any way.

Mr. FINEMAN. Mr. Polen, I want to read to you again, and listen carefully to this, if you will, a definition of reimbursable instruction expenses for teaching units that was prepared by the Pennsylvania Association of Chief School Administrators. They state specifically, without equivocation, that it includes all costs of educating a child in the computation except debt service charges, capital outlay, dental services and tuition payments. Now that does not refer anywhere to rental payments, which means that rental payments are now included in the definition. So how can you deny that it now fits into the definition of reimbursable instruction expense?

Mr. POLEN. Mr. Speaker, on the question of what we are reimbursing for in connection with rentals, I have admitted that we reimburse for rental payments. It is an expense.

Mr. FINEMAN. But I am saying to you now, under provisions of 1108 which does not affect the existing law dealing with reimbursement of rentals—that remains as is—school districts will get reimbursement on rental payments based on the capital fraction formula. They will get that, but under the provisions of 1108, in addition to that, rental payments are now included in the principle formula.

Mr. POLEN. Mr. Speaker, the payments made in connection with tuition, or rentals or anything like that, are deducted before you arrive at your cost.

Mr. FINEMAN. Now let us pass on to one more point, Mr. Speaker. Is it not a fact that under the provisions

of this bill the total cost of the bill during the next biennium is \$55 million?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FINEMAN. Is it not a fact also under the provisions of this bill, in addition to the \$55 million, that for the '61-'63 biennium there is another \$45 million provided for?

Mr. POLEN. I have not had it projected into the next biennium, but I would say that that sounds reasonable to me.

Mr. FINEMAN. Now as a man who is delegated with much authority in matters concerning fiscal policies in this House, do you believe it wise for this Legislature to pass any type of enactment that would mandate increased expenditures beyond this biennium without likewise passing accompanying revenue-raising measures?

Mr. POLEN. Mr. Speaker, I do not believe it would be wise to do that, and we have passed the revenue measure to cover the cost of this bill. That is why I reduced it in the Appropriations Committee, in line with our policy of not reporting bills carrying appropriations in excess of the taxes that have been passed by this House.

Mr. FINEMAN. Well, the gentleman just told me that the total cost of this bill for the current biennium and the following biennium is \$100 million. Now we know the bill that passed this House and is over in the other Chamber, which is unacted upon, will raise only \$55 million. What legislation have we passed to cover the other \$45 million?

Mr. POLEN. Mr. Speaker, I did not say there was \$100 million. For this biennium—and the only way we have ever legislated here that I know of is consideration of cost on a biennial basis—the cost of this legislation, in this '59-'61 biennium, would be \$55 million, which is the amount of tax revenue measures that have been passed in this House and uncommitted.

Mr. FINEMAN. Did you not admit before that the bill also mandates expenditures for the biennium of '61-'63 in the amount of \$45 million?

Mr. POLEN. Mr. Speaker, anything that is in any of this legislation that we have passed—and we have passed, as mandated, hundreds of millions of dollars in the future—can be changed by the next Session of the Legislature if they so desire, even next January.

Mr. POLEN. I do not think that any Session of the Legislature ever provided taxes or revenues beyond the biennium in which they operated.

Mr. FINEMAN. Mr. Speaker, has the gentleman not always stated in the past, I believe, that it is bad fiscal policy to pass legislation, whether it be for the present biennium or the ensuing biennium, that carries a price tag on it, without likewise providing revenues to pay for that bill because we are, in effect, saddling the legislators who follow us?

Mr. POLEN. Mr. Speaker, I have never made that statement in connection with amounts beyond the present biennium. I have stated many times, and we have held to this policy, that we do not pass appropriation bills in excess of the tax bills we have passed. In this case, we would again not do so.

I might say that generally I am opposed to passing legislation that passes on additional expenses for many years to come. I think that probably is a bad policy. But we

are taking a formula here that covers two school years. It only provides for the two years so far as the revenues are concerned. And at the next Session of the Legislature this or any other act passed can be changed if found undesirable.

Mr. FINEMAN. Mr. Speaker, very briefly, aside from the points that constitute objections that I raised in the interrogation, I want to ask for a moment about the philosophy behind this bill, and this is principally the reason why I am vehemently opposed to this type of legislation.

This bill does nothing more than perpetuate and give life to an inequity which we discussed when we had under consideration House Bill 2354. It seems to me that it is wrong to only compound the short-change policy that this state has adopted insofar as spreading its subsidies among the various school districts in the counties of the Commonwealth.

I want to say this as a general statement, I think, and it is most unfortunate, that there exists, and has for a number of years existed, an antipathy by rural legislators against the urban legislators. Why that exists, I do not know. But, in the matter of parcelling out State monies, the city has always received the short end of the stick. There is no reason in the world why the tax dollar of the citizens of an urban area, a citizen of the city of Philadelphia or the city of Pittsburgh, should not receive as much state service for his tax dollar as a citizen from some rural area. It is manifestly unfair. I say to the Members of this House there will be a time in the not-too-distant future when a continuance of this short-sighted policy, this conflict between so-called country legislators and city legislators, is going to result in the destruction of the economic structures of many of our large cities.

What is good for the city of Philadelphia and what is good for the city of Pittsburgh is good for the state. The citizen of Philadelphia is no different than the citizen of any small country area. He is one of us and deserves to be treated fairly and equally.

I would like to recommend for the reading of the Members of this House an article that appeared in the November issue of the *Coronet* magazine. It is a most interesting article. I am not going to read it to you now, except the title of the thing, but I think you ought to get hold of it because it reflects what I am telling you. The article is entitled:

The War Between Cities and States.

The subtitle reads:

Out voted and shortchanged by rural run state legislatures, our great cities, in which two out of three American live, face ruin unless drastic measures are taken.

The type of legislation that we have before us is typical of what this article makes reference to.

I am respectfully asking the men and women of this House to look at this thing on a broad horizon, and not to be selfish about the thing so far as his or her district is concerned, because every citizen of the Commonwealth has the right to be treated equally and fairly. I ask you to vote down this bill.

Mr. POLEN. Mr. Speaker, I did not intend to even get into this debate. I would like to say, however, that this bill is not only for the rural areas; it is based upon equalization.

I might say to the gentleman from Philadelphia that the largest increase in subsidies from this bill will go to the city of Philadelphia. The increase under this bill for this biennium would give Philadelphia nearly four and a half million in increased subsidies. The purpose of the equalization program which we have here in Pennsylvania is to give equal educational opportunity to all of the youth of this great Commonwealth. I certainly am one who does not feel that Philadelphia, Pittsburgh or any city should be discriminated against.

I think there is one thing, though, that we overlook in this situation. That is the valuation back of a teaching unit. In my home district I believe it is about \$40,000 per teaching unit. I believe in Philadelphia it is something like \$600,000. I could be in error on that because it has been some time since I looked at the figures. But whether this is the best system or not—there is no doubt it can be improved on—it is the one we have here, and I have not heard of anyone proposing to change the reimbursement formula that we use. The other bill which we talked about, 2354, used exactly the same formula so far as reimbursement was concerned.

We all know how the cost of education has increased in this Commonwealth. I believe the first Session I served in the Legislature here, the Commonwealth's appropriation for education was less than \$100 million. Today the subsidy per teaching unit alone is over \$530 million. But we have got to look back and remember that in those days in a fourth class school district we were paying salaries of \$720 a year, later \$800; high school teachers \$1170. We have gone a long way in increasing teachers' salaries and increasing the benefits of education in Pennsylvania.

I do not think there is any great issue. I do not think any of the Members that come from the rural counties, such as I do, feel that Philadelphia or any city in this Commonwealth and their school districts should be discriminated against. I do not believe that this bill does discriminate against any school district. I believe fully it is not enough money to do the things that should be done for education, but if we are going to keep within the framework of a sound fiscal policy, we are going to have to limit it to the revenue bills we have passed in this House.

I do not know what the vote on this bill will be, I have not asked anyone to vote for it. I have not worked in that manner, but I do feel that we have the opportunity here today to bring about further help to the school districts of Pennsylvania which will equalize educational opportunity, and under our existing system do the best job we can for the education of our boys and girls. I do not think it is a matter of urban against country. I believe it is a matter of plain justice that we should at least attempt to do something for the school districts of Pennsylvania in order that we can bring about the best educational system in this country.

I thank you, Mr. Speaker, for permitting me to take up the time of this House. I did not even intend to speak on this bill, but I did get drawn into it.

I would say to the gentleman from Philadelphia, Mr. Fineman, I wish he would come to my office and I will try to prove to him by figures that it is impossible for any school district to receive 100 percent reimbursement.

Mr. FINEMAN. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, I was not sure I heard the correct amount of money the gentleman said the school district of Philadelphia would get from this bill.

Mr. POLEN. Approximately \$4.5 million.

Mr. FINEMAN. \$4.5 million. Now, what percentage of the total money involved is that?

Mr. POLEN. It is slightly less than 10 per cent.

Mr. FINEMAN. Slightly less than 10 per cent. Can the gentleman tell us what percentage of the total school population Philadelphia has?

Mr. POLEN. Mr. Speaker, I do not have that information.

Mr. FINEMAN. Does the gentleman know the total number of school children in the state?

Mr. POLEN. I do not have that accurate information before me.

Mr. FINEMAN. Can the gentleman get that information?

Mr. POLEN. Yes, I can have it for the gentleman tomorrow.

Mr. FINEMAN. I thank the gentleman.

Mr. STONER. Mr. Speaker, I wish to file my remarks on House Bill 1108 and have it spread on the record.

The SPEAKER pro tempore. Without objection the remarks of the gentleman will be spread upon the record.

Mr. STONER. Mr. Speaker, I am of the opinion House Bill No. 1108 is just another patch on an already badly worn pair of pants.

If the bill becomes a reality it will give temporary relief to a pressing problem which will remain with us for future Sessions, or until we do something toward a future overall policy that we can live with.

Ever since I have been a member of the General Assembly, we have passed countless bills directing our public schools to do certain things. On top of this the Department of Public Instruction comes along with more and more directives, such as instructing school personnel to use electricity instead of gas in their school cafeteria cooking, and serving Johnny a pint of milk when maybe Johnny needs a pint of good Pennsylvania apple cider.

New school buildings must have certain features regardless of the cost. If these directives are not carried out the penalty is a cut in School Aid.

At least some of we members of the General Assembly have listened too long to various groups within the Public School Program to a point where we, and our school people at the local level, are very much confused on questions of just what is going to happen and what will be the needs in the near future.

I and some of my colleagues introduced House Resolution No. 104 which was adopted September 14, directing the Joint State Government Commission, our own fact finding agency, to study some of the important financial facts involved in the cost of operation of our schools and report its findings to the next regular Session of the General Assembly.

In the meantime I believe we have no other course than to pass House Bill No. 1108 as another temporary patch, hoping House Resolution 104 will be carried out, and that

we can put together a sensible program eliminating directives and permitting our School Board to run their own schools as they are financially able.

Mr. McCORMACK. Mr. Speaker, I do not have any written remarks to spread on the record, but I will be very brief, as usual I think House Bill 1108 in its present form is very unwise. It is the height of fiscal irresponsibility. I say that because it commits next Session and the following Sessions of the Legislature to appropriate the money to pay for this. This is a political bill purely and simply. It is nothing more and nothing less. It is political and we know that the lobby of the school teachers in Pennsylvania is one of the strongest lobbies that exists today. This is an attempt to pacify them, to ameliorate their hurt feelings.

It is not necessary for me to tell you that the increases are necessary. I think the bill, if they changed the maximum subsidy to \$6,300 for the present biennium, would be much fairer, although not quite equitable, it would be much better than the present bill which increases it in the following biennium to \$6,900. We have the bill, or we passed the tax bill to appropriate \$55 million to pay for the present increase of \$6,300. But, we do not have the tax measures to support the additional money, \$45 million in the following biennium that was admitted would be required if this bill were to become law.

I think that we might be heroes in the eyes of the school teachers, but I think that we will be false heroes. I think what the gentleman from Washington, Mr. Polen, said, with respect to the Policies of this House and that Committee not to pass or report out legislation unless there was sufficient tax money to pay for it, was correct. But, I think he must have had his tongue in his cheek when he said that the following Legislature could, in effect, change the law with respect to this maximum subsidy in a subsequent session. I do not recall in the time that I have been here where we have ever decreased the maximum subsidy. I cannot imagine, being practical and realistic, any Session of the Legislature, assuming that the composition is about the same as it is now, reducing that figure. I think that was not a serious statement that he made.

For that reason I am going to vote against the bill. We passed the Korean bonus, we required tax legislation to finance it. We recall what happened with the Second World War bonus when there was no revenue raising measure to pay for the bonded indebtedness. This is exactly what we are doing now. We criticized the then Governor, but I can see absolutely no difference between the policies then and the policies that will be effectuated if this bill becomes law.

Mr. ISAACS. Mr. Speaker, my position is going to be one of consistency.

When House Bill 2354 was debated I was the first sponsor of that measure in This House. I stated at the time if the money was there to pay for it, I stood willing and ready to support it. That is exactly my position here today. I remember at the time the Chairman of the Appropriations Committee when interrogated, said he did not have the money. He stated today, if I recall correctly, that he would not report a bill out if we had not passed a tax measure to cover it. He did exactly that in the middle of October with 2354.

Yesterday when House Bill 1108 was being debated on second reading, I heard a lot of banter between the leadership about financial irresponsibility. I voted for the amendment to add \$15 million to the \$55 million, and I voted for it on the theory that we might as well spend \$70 million we did not have as \$55 million we did not have. Had the bill come to a vote, I would have voted against it, as I am going to do today. I think it is a mistake to pass the measure. There is no money for it.

At that time I tried to bring out, and it was later brought out on the floor, that we were dependent upon the personal property tax, which would cost the city of Pittsburgh nothing, which would cost the county of Philadelphia two mills, and the rest of this Commonwealth six mills to pay for it. I would not buy that deal at that time, neither will I buy it today. Without the money I contend it is a mistake to pass this bill and I think when we do it is going to blow up in all our faces. I am going to vote no.

Mr. AUKER. Mr. Speaker, I am going to vote for 1108 and in speaking briefly on the bill I am going to pinpoint several things that have been said that are contained in the bill about future commitments by this Legislature. I am taking for granted, of course, I have not read the bill too thoroughly, that there is \$45 million in the bill that a future Legislature will be called upon to meet.

If the next Legislature does not see fit to meet that, they can change it, that is their prerogative. However, I want to point this out, when the gentleman who spoke previously stated that there have been no commitments or it is wrong to make commitments for future Legislatures to spend, let us go back to the General State Authority. Here we increased them this year again, \$146 million over what was on the books. Every session this Legislature has to provide new taxes and new money to advertise those bonds and to pay the interest on those bonds. In my memory of the last four terms, never once has there been a tax measure passed that will in itself amortize the General State Authority bonds and pay the interest on that indebtedness. When we pass these General State Authority bills and increases we are tying the Legislature down for years to come, 15 to 20 years, in meeting additional revenues to pay the interest and amortize the bonds covered by the increases of the General State Authority.

To my mind, there is no more important thing to the people of this Commonwealth than equal education for all. Certainly that is more important than building an underground garage building over here in the Capitol with nice grounds and white marble on the top of it. It is not occupied today because there is no money to maintain it. Certainly education can be considered to be more important than building three new state office buildings in three large cities throughout this Commonwealth, and other buildings that I could well name. And yet the Legislature was committed to new taxes every two years to meet the interest on the bonds to build those buildings and amortize the bonds that built those buildings.

Let us not sell education down the river. If we have to meet \$45 million two years from now to help education and keep the educational requirement up to the proper standards in this state, I am sure we are all men enough

to stand here, if we are back, and meet that obligation. That does not worry me one bit. If I am back I will take my responsibility just the same as all the rest of you.

I just wanted to correct that little interpretation. This is not the first time, by any means, that we have committed the Commonwealth or this Legislature to future expenditures of money, and in many, many instances for projects not nearly, or one-half, or one-third, or one-tenth, or even one hundredth of one percent as important as education is to the people of this Commonwealth.

Mr. GOLDSTEIN. Mr. Speaker, the debate on this bill reminds me of Shakespeare's play, "Much Ado About Nothing."

First of all, we are now planning to spend \$15 million for the school districts of the Commonwealth of Pennsylvania, and I am a believer and supporter of education. My record shows it. The Majority Leader has insisted on talking about the personal property tax, which is as dead as a dinosaur in the Carnegie Museum in the city of Pittsburgh. He knows that. I opposed the personal property tax when it was on the floor of the House and I then stated that I was against it because I was not interested in any special privilege for the city of Pittsburgh. I believe it not only to be unconstitutional but unconscionable.

I agree with the comments of the speaker from Philadelphia, Mr. Fineman, that Pittsburgh and Philadelphia do not get their fair share of the receipts under the subsidy system, but there is nothing we can do about it in the present state of affairs.

Pittsburgh will get \$925,000 during the next biennium. When I vote upon this bill I do not want to stultify myself by voting for an appropriation and not stating where I stand on a tax measure. I call the particular attention of Mr. McCann, the Majority Leader, that part of the Hood-Kennedy report was abandoned. That part at four percent would have given \$148 million to the Commonwealth by tax on trade-in values. Why was it abandoned and never brought up for vote I do not know. I publicly stated that I would vote for such a measure and I will if it comes up on the floor of the House.

Mr. McCann, the Majority Leader, stated from time to time the Democrats have gone and voted against their conscience by voting for property taxes against the consumer, and he states to us, why not tax business. I say to him right now that the Majority party is in control of the Ways and Means Committee and if he is willing to let out a bill taxing trade-ins, I will vote for it. It is also under the tax business to increase the corporate income tax from six to seven percent, which will give us \$55 million. I will vote for that also.

With those reservations and statement, because I believe in public education, I am going to vote for the bill with a sincere hope that we have a bona fide tax program, not in 1960 or 1961, but in 1959, because I do not know exactly what the Governor said today but I am convinced that as far as fiscal responsibility is concerned he will follow President Eisenhower in vetoing this bill.

Mr. LEONARD. Mr. Speaker and Members of the House, this is not an hour long speech I am going to make, but I would like to ask Members of the House if they know any more important bill to come before us than this bill concerning the education of our children which are tomorrow our life in America. I believe they will

all recognize the situation from a world standpoint. We have to educate our children. We do not care where the money comes from.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	George,	McInroy,	Sakulsky,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Goldstein,	Machmer,	Seltzer,
Balthaser,	Goodrich,	Magee,	Shupnik,
Barton,	Gramlich,	Mahan,	Snare,
Bell,	Guthrie,	Markley,	Snider,
Blair,	Hamilton,	Maxwell,	Stank,
Bonner,	Heffner,	Meholchick,	Steckel,
Boris,	Holliday,	Merry,	Stevens,
Bower,	Horst,	Mihm,	Stewart,
Brenninger,	Irvig,	Miller, B. Z.,	Stimmel,
Breth,	Jenkins,	Miller, H. G.,	Stoner,
Brown,	Jim,	Mills,	Strausser,
Buchanan,	Johnson, A. W.,	Munley,	Thompson,
Burns,	Johnson, R.,	Murphy, A. J., Jr.,	Tompkins,
Cioffi,	Jump,	Murphy, P. J.,	Trusio,
Clarke,	Kamyk,	Murray, H. P.	Ujobal,
Crossin,	Kee,	Murray, J. J.,	Varner,
Curwood,	Kelser,	Murray, P. G.,	Verona,
Davis,	Kernaghan,	Musto,	Wall,
Dengler,	Kessler,	Needham,	Walsh,
Dennison,	Knecht,	Nelson,	Wargo,
Devlin,	Kooker,	O'Dell,	Weidner,
Donahue,	Kornick,	O'Donnell, J. A.,	Wescott,
Donaldson,	Korns,	Ogilvie,	Wheeler,
Down,	Kovolenko,	O'Neil,	Whittaker,
Edwards,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Lamb,	Petrofsky,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Polaski,	Willard,
Farabaugh,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Prendergast,	Wilt,
Flynn,	Light,	Price,	Worley,
Foerster,	Lippincott,	Pursley,	Wynd,
Fox,	Lopresti,	Reibman,	Yatron,
Frank,	Luigard,	Reidenbach,	Yetter,
Fulmer,	Lutty,	Renwick,	Zimmerman,
Galley,	McCandless,	Rigby,	
Gallagher,	McCann,	Rovasek,	
Garlock,	McDonald,	Royer,	

NAYS—36

Arlene,	Floyd,	McKeever,	Riley,
Branca,	Frascella,	Monroe,	Scarcelli,
Capitolo,	Gelfand,	Muldowney,	Schwartz,
Cianfrani,	Heavey,	Mullen,	Sherman,
Comer,	Holt,	O'Donnell, J. P.,	Silverman,
Dennis,	Isaacs,	Odorisio,	Sullivan,
Dougherty,	Jones, F. R.,	Parlante,	Taylor,
Ellberg,	Limper,	Pashley,	Varallo,
Fineman,	McCormack,	Perry, P. E.,	Welsh,

NOT VOTING—18

Anderson,	Ewing,	Jones, T. H. W.,	Schaaf,
Boies,	Fetterolf,	Moran,	Stone,
Bowman,	Helm,	Naugle,	Stroup,
Capano,	Henzel,	Rudisill,	Wood,
Cooper,	Hocker,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. JAMES K. DAVIS filed the following reasons for his vote on House Bill No. 1108:

I have written to many of my constituents that I stand ready to vote for any reasonable tax measure which will implement House Bill No. 1108.

I have stated specifically that I will vote for the Strausser Bill calling for a three percent tax on clothing if this bill can be moved out of the House Ways and Means Committee.

This is my position as we are starting to vote on House Bill 1108. My county desperately needs this new arrangement in equalizing state school subsidies, and I will support the measure financially by any kind of a tax-raising measure which can be seriously brought up for consideration.

Our schools are the state's number one responsibility, and we must see that the rural areas do not sink into a second class educational effort.

REASONS FOR VOTE

Mr. STEVENS filed the following reasons for his vote on House Bill No. 1108.

I was the only Republican Representative from Allegheny County voting for a 4 percent sales tax. Thus providing an increase of \$315,000,000 in our bi-annual budget. I can sincerely vote and support House Bill 1108. The Governor of this Commonwealth can find the money for our schools in this increase in the General Fund.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1968 FROM GOVERNOR.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1968, Printer's No. 1613, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polien vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, line 2 of Title, by inserting after "class" "and first class."

Amend Section 1, page 1, line 2, by inserting after "class" "and first class."

Amend Section 3, page 2, line 12, by inserting after "class" "and first class."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1213 FROM GOVERNOR.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1213, Printer's No. 1075, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. RENWICK. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. DENGLE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Elk, Mr. Renwick vote on the final passage of this bill?

Mr. RENWICK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Delaware Mr. Dengler vote on the final passage of this bill?

Mr. DENGLE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. RENWICK. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. RENWICK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 2 (Sec. 726), page 3, line 8 by striking out "agreement" and inserting: "An agreement."

Amend Sec. 2 (Sec. 726), page 3, line 9 by inserting after "fixed" "which shall include a confession of judgment."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2347

Mr. P. E. PERRY. Mr. Speaker, I move that the vote by which House Bill No. 2347, Printer's No. 1813, entitled: "An Act amending 'The Administrative Code of 1929' approved April 9, 1929 (P. L. 177) creating the Bureau of Consumer Protection, defining its powers and duties and making an appropriation" was defeated on Final Passage Tuesday, October 20, 1959, be reconsidered.

Mr. EILBERG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Perry vote on the final passage of this bill?

Mr. P. E. PERRY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Eilberg vote on the final passage of this bill?

Mr. EILBERG. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An Act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, * * *" changing the compensation of the members of the General Assembly.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An Act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, * * *" changing the compensation of the members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCann.

The House resumed the consideration on final passage of House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued and exempting concert music halls maintained by public or private charities from taxation.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on final passage.

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by striking out "requiring only the part of any."

Amend Title, page 2, first and second lines of Title, by striking out all of first line, and "exempt purposes to be valued and" in second line.

Amend Title, page 2, second line of Title, by inserting after "exempting" "in certain cases and to a certain extent."

Amend Sec. 1 (Sec. 201), page 2, lines 13 to 15, page 3, lines 1 to 3, by striking out "Provided however That if property owned by an organiza-" in line 13, all of lines 14 and 15, page 2; all of lines 1 and 2, and "ject to taxation" in line 3, page 3.

Amend Sec. 2 (Sec. 204), page 5, line 11, by striking out the brackets before and after "exclusively."

Amend Sec. 2 (Sec. 204), page 5, line 12, by striking out "to the extent."

Amend Sec. 2 (Sec. 204), page 5, line 12, by striking out the brackets before and after "and."

Amend Sec. 2 (Sec. 204), page 5, line 13, by inserting after "continues" "Provided, however, That in the case of concert music halls used partly for exempt purposes and partly for non-exempt purposes that part measured either in area or in time, whichever is the lesser, which is used for non-exempt purposes, shall be valued, assessed and subject to taxation."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection, the remaining bills on today's calendar not considered, were passed over at the request of Mr. McCANN.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, earlier today the Minority Leader asked some questions to which I could not give the answer at that time.

I bring to the attention of the Members of this House that tomorrow, Wednesday, November 11, this House will be in session, working with a rather lengthy schedule. This House will be in session on Thursday, the following day, completing the work.

The Conference Committee reports are being signed tonight and will be presented in this House tomorrow to go to the Printer and, if possible, even late tonight, because the House has to adopt, first, the Conference Committee reports. These are all House Bills, and we will try to adopt these reports if at all possible on Thursday. This House will have a full working day then on Thursday, and we will move right along in that schedule.

Mr. Speaker, on the week of November 16, the following week, we have been notified by the Senate that their schedule will be five days. The schedule of the House will be five days, Monday to Friday, inclusive.

There is one item that has come up about hotel space on Monday, November 16, and Tuesday, November 17. Two weeks ago Senator Berger and myself met with the hotel managers of this city, or assistant managers. They had one convention booked in the city of Harrisburg at the Penn-Harris Hotel. I believe it is a state-wide convention of a woman's group which had scheduled their convention quite some time ago. At that time in our discussion with the hotel managers, and this pertains to the Penn-Harris Hotel, the hotel manager assured us that he could take care of all the Members who normally live at the Penn-Harris Hotel. The manager of the Harrisburger Hotel said he had absolutely no problem; the assistant manager of the Governor Hotel assured us he had no problem.

Today I got a telephone call from the Penn-Harris Hotel manager in which he says they have sold additional hotel space and it will be rather difficult to house some of the Members at the Penn-Harris Hotel. He, of course, assured me that I would have my room. To some Member who does not get a room I will turn over my room to him, because I think it was another low-down trick of the hotel, after we had agreed for the hotel space on November 16 and 17, in not fulfilling the commitment of the hotel manager.

I was informed by him on the telephone this afternoon that for some Members of this House they will assist in seeing that they have hotel space; that they, in cooperation with some other hotels, will assign them, I suppose, to various other hotels. I know the problem they are faced with, but it was not a matter that was not considered many weeks before. It was not something that came up today. The problem at that time was that there would not be enough suites for people who normally have suites in the hotel. Our statement at that time was that we

know you have a problem with the suites in the hotel, but none of our House Members or Senate Members use a hotel suite, they use a room, and that certainly was agreed to, but there are others who do use them and they could not have the rooms.

Mr. Speaker, this House will be in session on November 16 and our office and Mr. Johnson's office will assist in every way possible to try to assist in placing our Members, but I want the Penn-Harris Hotel to know just how I feel about it and how rotten I think they handled the situation.

BILL INTRODUCED AND REFERRED

By Messrs. P. E. PERRY and HOLLIDAY.

HOUSE BILL No. 2448.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), clarifying the scope of the exemption for vessels operated principally outside the limits of the Commonwealth.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GAILEY, Mrs. REIBMAN and

Mr. DENGLER. RESOLUTION No. 127.

In the House of Representatives, November 10, 1959.

Some educators are of the opinion that school children are admitted to school at too early an age.

The present chronological age requirement may allow children to enter school before they are mentally prepared thereby impeding the progress of those pupils of adequate development; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study the problem of entrance ages of school children to determine whether or not the present chronological age requirements are too low; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations to the next regular session of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 940.

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

Referred to the Committee on Rules.

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

Referred to the Committee on Rules.

SENATE BILL No. 1220.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

Referred to the Committee on Rules.

SENATE BILL No. 1223.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

Referred to the Committee on Rules.

SENATE RESOLUTION SERIAL No. 121.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 476.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools.

HOUSE BILL No. 2084.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

HOUSE BILL No. 2181.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) penalizing acts of malicious mischief to real or personal property.

HOUSE BILL No. 2331.

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction

HOUSE BILL No. 2368.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

HOUSE BILL No. 2372.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the employment of former members of school boards as teachers

HOUSE BILL No. 2405.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) further defining the word "document"

SENATE BILL No. 145.

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "Real Estate Tax Sale Law" further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales.

SENATE BILL No. 319.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor.

SENATE BILL No. 399.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record.

SENATE BILL No. 535.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

SENATE BILL No. 812.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

SENATE BILL No. 901.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

SENATE BILL No. 902.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

SENATE BILL No. 916.

An Act amending the act of May 13, 1927 (P. L. 1011), entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties * * *" further regulating the powers of the department of city planning over plats or subdivisions of land.

SENATE BILL No. 975.

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the

estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

SENATE BILL No. 1050.

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

SENATE BILL No. 1052.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" clarifying the provisions excepting certain work from the provision which makes worldly employment unlawful on Sunday.

SENATE BILL No. 1055.

An act amending the act of May 19, 1887 (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

SENATE BILL No. 1062.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

SENATE BILL No. 1068.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

SENATE BILL No. 1078.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

SENATE BILL No. 1116.

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929" redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. SCARCELLI. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 11, 1959 at 10:00 a. m. EST.

The motion was agreed to, and (at 7:15 p. m. EST.) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, NOVEMBER 11, 1959.

No. 109.

SENATE

WEDNESDAY, NOVEMBER 11, 1959.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, FATHER JOHN F. CULLINAN, Pastor of St. Michael's Catholic Church, Hollidaysburg, offered the following prayer:

Our Father in heaven, on this day we give grateful honor to all those devoted men who offered their lives and services in the defense of their fellow Americans. For the treasure of this example that has been given to us in heaping measure, our hearts are lifted up. Grant us not to be unmindful in following such example. May we always seek first our light and strength in the thought of Thee and Thy fatherly loving heart.

May we see our fellow men as Thy dear children, equally dear with us. May our thoughts and actions be such that we also may be an example in lesser ways, but with equal sincerity and love.

May we be always grateful for Thy blessings and to carry Thee always in our hearts.

In Thy Name we pray, Amend.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. RUTH, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which was read as follows:

Approval of Senate Bills Nos. 19, 124, 187, 202, 233, 259, 313, 375, 382, 490, 697, 698, 736, 816, 823 and 915.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 19, Printer's No. 19, entitled "An Act amending the act of March 22, 1907 (P. L. 31) entitled 'An act to provide for the assignment of

counsel in murder cases and for the allowance of expenses and compensation in such cases' providing for the appointment of special investigators."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 124, Printer's No. 1488, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' authorizing counties to acquire and maintain historical property and permitting county planning commissions to make recommendations in relation thereto."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 187, Printer's No. 201, entitled "An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 202, Printer's No. 216, entitled "An Act amending the act of May 9, 1949 (P. L. 919) entitled 'An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forefitted into any court for the use of the Commonwealth prescribing their powers and duties fixing their compensation and providing procedures for transmission and settlement of certain moneys' changing the day for rendering certain returns to the Department of Revenue."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 233, Printer's No. 733, entitled "An Act amending the act of May 5, 1933 (P. L. 364) entitled 'Business Corporation Law' changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury

shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of shareholders' meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate assets the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by *Bloch v. Baldwin Locomotive Works* 75 D & C 24 and *Marks v. The Autocar Co.* 153 F. Supp. 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 259, Printer's No. 276, entitled "An Act amending the act of April 18, 1949 (P. L. 512) entitled 'Fiduciaries Act of 1949' revising and changing provisions relating to settlement of small estates on petition family exemptions persons entitled to letters of administration delegation of power distribution by guardian of incompetent personal representative or trustee distribution of small estates bonds of guardians named in conveyance and powers duties and liabilities of guardians appointed by court."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 313, Printer's No. 1490, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' requiring the Department of Revenue to issue duplicate registration cards is so requested and the prescribed fee is paid."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 375, Printer's No. 1521, entitled "An Act amending the act of April 6, 1951 (P. L. 69) entitled 'The Landlord and Tenant Act of 1951' exempting additional property from execution by landlord for nonpayment of rent."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 382, Printer's No. 414, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' authorizing and assessing and levying of taxes by all the school board members when union districts are first created."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 490, Printer's No.

524, entitled "An Act amending the act of May 14, 1929 (P. L. 1721) entitled as amended 'An act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit' providing for service of process on nonresidents or residents who subsequently become nonresidents or conceal their whereabouts on whose behalf a motor vehicle is being operated in Pennsylvania."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 697, Printer's No. 761, entitled "An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 698, Printer's No. 762, entitled "An Act concerning the right of stockholders of record of railroad corporations to vote at meetings and elections thereof providing for the voting in person or by proxy of shares of capital stock of railroad corporations held of record by fiduciaries or by two or more persons and for voting shares pledged by the holder thereof and repealing certain acts and parts of acts relating to railroad corporations."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 736, Printer's No. 817, entitled "An Act amending the act of April 18, 1949 (P. L. 512) entitled 'Fiduciaries Act of 1949' providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 816, Printer's No. 942, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 823, Printer's No. 1522, entitled "An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended 'Orphans' Court Act of

1951' divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 915, Printer's No. 1493, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents."

DAVID L. LAWRENCE.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

House Bill No. 2084, Printer's No. 1556;
House Bill No. 2181, Printer's No. 1586;
House Bill No. 2331, Printer's No. 1496;
House Bill No. 2368, Printer's No. 1714;
House Bill No. 2372, Printer's No. 1745; and
House Bill No. 2405, Printer's No. 1748.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER. (William Z. Scott) in the Chair.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 1572, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowance and reinstatement and requirement for credit for previous service.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 161, entitled:

An Act amending "The Vehicle Code," approved May 1, 1928 (P. L. 905), changing limitations upon the operation of commercial motor vehicles for carriage of passengers.

Which was committed to the Committee on Rules.

House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

Which was committed to the Committee on Rules.

House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing a general standard reimbursable fraction for all purposes where reimbursement fractions are used; and revising the basis for reimbursement on account of instruction.

Which was committed to the Committee on Rules.

House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the drive-ways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

Which was committed to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. PECHAN, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 364, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," revising the act; further providing for aid to dependent children and the placing of such children in suitable homes, setting standards for suitable homes, and establishing children's centers.

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salary of certain county officers in counties of the eighth class," clarifying the effective date.

He also, from the Committee on Rules, reported as committed, House Bill No. 2419, entitled:

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), conferring rights on certain provisional employees and war-duration appointees.

He also, from the Committee on Rules, reported as amended, House Bill No. 2420, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019), entitled "Statutory Construcion Act" changing the provisions relating to the effective date of certain laws.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

September 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Reimer, R. D. 1, Bangor, Northampton County, for appointment as Justice of the Peace in and for the Township of Upper Mount Bethel, Northampton County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Melvin R. Hartzell, Box 374, R. D. 2, Bangor, Northampton County, for appointment as Justice of the Peace in and for the Township of Washington, Northampton County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
FARVIEW STATE HOSPITAL

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Kelley, Gouldsboro, Wayne County, for appointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Andrew F. Kelley, Gouldsboro, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kenneth H. Jackson, R. D. 1, Harveys Lake, Wyoming County, for appointment as Justice of the Peace in and for the Township of Monroe, Wyoming County, to serve until the first Monday of January 1960, vice Robert Z. Belles, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE SOIL CONSERVATION
COMMISSION

May 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Sheehan, Mehoopany, Wyoming County, for reappointment as a member of the State Soil Conservation Commission, for the term of two years, and until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE WARREN COUNTY BOARD OF
ASSISTANCE

June 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. David Potter (Democrat), 124 Beaty Street, Warren, Warren County, for appointment as a member of the Warren County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Kathryn M. Frantz, Warren, deceased.

DAVID L. LAWRENCE.

COMMUNICATION FROM THE GOVERNOR RE-
PORTED FROM COMMITTEE ON EXECUTIVE
NOMINATIONS

Mr. BERGER. Mr. President, I report at this time, from the Committee on Executive Nominations a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Frank C. Lewis for reappointment as a member of the Board of Trustees of Dixmont State Hospital.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF FRANK C. LEWIS
FOR REAPPOINTMENT AS A MEMBER OF THE
BOARD OF TRUSTEES OF DIXMONT STATE
HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 3, 1959, for the reappointment of Frank C. Lewis, Beaver Falls, Beaver County, as a member of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATION BY THE GOVERNOR REPORTED
FROM COMMITTEE

Mr. BERGER. Mr. President, I further report from the Committee on Executive Nominations the nomination of Frank C. Lewis, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE BOARD OF TRUSTEES OF
DIXMONT STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until his successor is appointed and qualified:

Frank C. Lewis, Beaver Falls, Beaver County.

DAVID L. LAWRENCE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. BERGER. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The nomination will be returned to the Governor.

BILLS INTRODUCED AND REFERRED

Messrs. MAHADY, SEYLER and MURRAY read in place and presented to the Chair Senate Bill No. 1244, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of

the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the salaries of certain judges.

Which was committed to the Committee on Rules.

Messrs. VAN SANT and SEYLER read in place and presented to the Chair Senate Bill No. 1245, entitled:

An Act requiring the Civil Service Commission to assign an equivalent classification to certain civil service employees.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. PROPERT, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

JUSTICE OF THE PEACE

September 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard J. Reimer, R. D. 1, Bangor, Northampton County, for appointment as Justice of the Peace in and for the Township of Upper Mount Bethel, Northampton County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Melvin R. Hartzell, Box 374, R. D. 2, Bangor, Northampton County, for appointment as Justice of the Peace in and for the Township of Washington, Northampton County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank M. Kelley, Gouldsboro, Wayne County, for appointment as a member of the Board of Trustees of Farview

State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Andrew F. Kelley, Gouldsboro, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

May 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kenneth H. Jackson, R. D. 1, Harveys Lake, Wyoming County, for appointment as Justice of the Peace in and for the Township of Monroe, Wyoming County, to serve until the first Monday of January 1960, vice Robert Z. Belles, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE SOIL CONSERVATION COMMISSION

May 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Sheehan, Mehoopany, Wyoming County, for re-appointment as a member of the State Soil Conservation Commission, for the term of two years, and until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE WARREN COUNTY BOARD OF ASSISTANCE

June 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. David Potter (Democrat), 124 Beaty Street, Warren, Warren County, for appointment as a member of the Warren County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Kathryn M. Frantz, Warren, deceased.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. PROPERT, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarrafi,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silver,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. PROPERT. Mr. President, I second the motion.
The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 644, Printer's No. 1533;
Senate Bill No. 810, Printer's No. 1547;
Senate Bill No. 882, Printer's No. 1469; and
Senate Bill No. 911, Printer's No. 1514.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 910, Printer's No. 1141;
Senate Bill No. 990, Printer's No. 1559;
Senate Bill No. 1017, Printer's No. 1560; and
Senate Bill No. 1036, Printer's No. 1340.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1117, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township, Northampton County, Pennsylvania with the approval of the Governor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarrafi,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1121, Printer's No. 1205;

House Bill No. 1122, Printer's No. 1235; and

Senate Bill No. 1189, Printer's No. 1452.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarraf,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1443, Printer's No. 1877;
House Bill No. 1614, Printer's No. 1863;
House Bill No. 1675, Printer's No. 1878;
House Bill No. 1904, Printer's No. 1753; and
House Bill No. 2021, Printer's No. 1778.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2120, Printer's No. 1400;
House Bill No. 2292, Printer's No. 1503; and
House Bill No. 2363, Printer's No. 1668.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1864, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the completion of a girls' dormitory.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payments to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester Chester County for use of the West Chester State Teachers' College.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

APPROPRIATION BILLS ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1508, entitled:

An Act transferring the moneys of the state school fund to the general fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Superintendent of Public Instruction and the Secretary of Labor and Industry providing for future escheated estates making certain appropriations and repealing certain sections of the Public School Code of 1949.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendment:

Amend Sec. 1, page 2, lines 9 to 11; page 3, lines 1 to 19; page 4, line 1 to 19; page 5, lines 1 to 3 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendment:

Amend Sec. 2, page 5, lines 4 to 16 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendment:

Amend Sec. 3, page 5, lines 17 to 19; page 6, lines 1 to 20; page 7, lines 1 to 19; page 8, lines 1 to 19 and page 9, lines 1 to 4 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendment:
all of said lines.

Amend Sec. 4, page 9, lines 5 to 11 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendment:

Amend Sec. 5, page 9, lines 12 to 14 by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. EHRGOOD offered the following amendments:

Amend Sec. 6, page 9, lines 15 and 16 by striking out all of said lines and inserting:

"Section 1. Sections 2603, 2604 and 2605, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" are amended to read:

"Section 2603. Investments.—The State Council of Education shall promptly invest, and keep invested as constantly as possible, to the best advantage of the State School Fund, all appropriations, devises, gifts, and other receipts for this purpose, as a permanent State School Fund. [whose income only may be expended.] Investments of the permanent State School Fund may be made only in bonds properly issued by the Government of the United States, the Commonwealth of Pennsylvania, a school district in this Commonwealth, or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits, and all such investment must be first approved by the Auditor General.

"Such investments shall be converted into cash whenever necessary to make the payments provided for in this article and to pay for salaries and wages, purchase of supplies and other necessary and pertinent expenses of administration of this article.

"Section 2604. [Use of Income.—The State Council of Education is hereby authorized to use so much of the interest, rentals, and other income of the school fund as it deems wise towards equalizing the educational advantages of the different parts of this Commonwealth; to make advancements to school districts temporarily in need and to deduct said advancements from any appropriation that may be due said districts, upon such terms as the districts and the State Council of Education shall agree; and also to use such part of the same as it deems wise to further and promote education in the conservation of natural resources, and education in forestry, agricultural and other industrial pursuits, in the public schools of this Commonwealth. For all of said purposes, all income from the State School Fund is hereby appropriated to the State Council of Education. All of the income not thus used shall be annually added to the principal of said fund. The State Council of Education may also lease, sell, or otherwise dispose of any of the real estate, securities, or other property belonging to the State School Fund, and invest the proceeds thereof in compliance with this act.] Use of Fund Appropriation.—In addition to equalizing educational opportunities throughout the Commonwealth, the State Council of Education may expend moneys from the State School Fund of Pennsylvania for the purpose of paying a part of the costs of repairs and/or alterations to local public school buildings or buildings used by State Teachers'

Colleges which repairs and/or alterations are necessary to satisfy fire and safety standards or requirements and which are required by order of the Department of Labor and Industry or in those cases in which the Department of Labor and Industry does not have jurisdiction, then by order of another governmental body of competent jurisdiction empowered by law to enforce such orders, including cities of the first class, cities of the second class and cities of the second class A.

"As much of the moneys in the State School Fund of Pennsylvania, including principal and income as may be necessary, is specifically appropriated to the State Council of Education to be used for the purposes and in the manner prescribed in this act.

"Section 2605. Payments; How made.—[So much of the State School Fund as is to be invested or reinvested in any securities, or the income thereof that may be used for any of the purposes herein provided, shall be paid out by a proper order, authorized by the State Council of Education and signed by the president and secretary thereof, drawn on the State Treasurer on said funds, which order shall first be approved by the Auditor General] Application for approval of the proposed work shall be submitted to the bureau of school buildings and no project shall be undertaken until such application, together with plans, specifications and bid costs have been approved by the bureau of school buildings, the Superintendent of Public Instruction, the Auditor General and the Secretary of Labor and Industry. Applications under provisions of this act shall be considered in the order in which they are filed with the Department of Public Instruction.

"Upon approval of the project and the bid costs, applications for payments as hereinafter provided may be made by the board of school directors of a school district or by a joint school board and by the trustees of a State Teachers' College to the Department of Public Instruction in such form as the State Council of Education, with the approval of the Auditor General, Superintendent of Public Instruction and Secretary of Labor and Industry shall prescribe.

"Applicants may qualify for payments on account of repairs and/or alterations made in compliance with orders issued subsequent to December 1, 1958 by the Department of Labor and Industry or by other governmental bodies of competent jurisdiction empowered by law to enforce such orders, including the cities of Philadelphia, Pittsburgh and Scranton.

"Payments shall be made on order of the State Council of Education signed by the president and secretary thereof drawn on the State Treasurer on such funds when the applications therefor have been approved by the Auditor General, the Superintendent of Public Instruction and the Secretary of Labor and Industry, provided the State Council of Education may grant and interim authority to the Superintendent of Public Instruction to issue such orders, which shall be confirmed by the council at its next regular meeting. In the case of school districts which have less than three hundred fifty thousand dollars (\$350,000) valuation per district teaching unit, payments may be approved up to seventy-five per centum of the total cost of repairs and/or alteration. In the case of school districts which have more than three hundred fifty thousand dollars (\$350,000) but less than

seven hundred fifty thousand dollars (\$750,000) valuation per district teaching unit, payments may be approved up to fifty per centum of the total cost of repairs and/or alterations. In the case of school districts which have more than seven hundred fifty thousand dollars (\$750,000) but less than one million dollars (\$1,000,000) valuation per district teaching unit, payments may be approved up to twenty-five per centum of the total cost of repairs and/or alterations. Where school districts have more than one million dollars ((\$1,000,000) valuation per district teaching unit, payments may be approved up to five per centum of the total cost of repairs and/or alteration. Payments up to one hundred per centum of the total cost of repairs and/or alterations may be approved in the case of applications made by State Teachers' Colleges and school districts which are determined by the Superintendent of Public Instruction to be financially handicapped and distressed in accordance with the provisions of this act. In no case shall any payment be made for repairs and/or alterations made to any school building which is closed finally by the Department of Labor and Industry or the Department of Public Instruction.

"Except in the case of State Teachers' Colleges payment on account of any project under the provisions of this act shall preclude any further reimbursement from State funds for the project.

"Section 2. This act shall take effect immediately."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. EHRGOOD offered the following amendment:

Amend Title, page 1, first to fifth lines; page 2, first to seventh lines of Title by striking out all of said lines and inserting:

"Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for the use of moneys in the State School Fund of Pennsylvania for assisting public school districts and State Teachers' Colleges to comply with required safety standards in certain cases; conferring powers and imposing duties upon the State Council of Education, the Auditor General, the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

APPROPRIATION BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 1508, Printer's No. 1530, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1894, entitled:

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2303, entitled:

An Act amending the act of July 19, 1957 (Appropriation Acts page 60) entitled "General Appropriation Act of 1957" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1957 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1957' by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-nine" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale, Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and

park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 203, Printer's No. 1862; and

House Bill No. 355, Printer's No. 1710.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 505, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304) entitled "Local Health Administration Law" extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

OBSERVANCE OF VETERANS DAY

Mr. BERGER. Mr. President, at this time, it would be fitting for the Senate of Pennsylvania to join with the citizens of our State, and all over the United States, in the observance of Veterans Day.

For that purpose, I will yield to Senator Walker who desires to offer an appropriate resolution.

Following the reading and adoption of that resolution, I would request that the Chair call up the Senate and that we stand in a moment of silent prayer in remembrance of the veterans of all our wars, living and dead.

The PRESIDING OFFICER. The Chair now recognizes the gentleman from Cambria, Mr. Walker.

SENATE RESOLUTION

"VETERANS DAY—1959"

Messrs. WALKER, WADE, PECHAN, SCOTT, SEYLER, RIPP and MAHADY offered the following resolution (Serial No. 80):

In the Senate, November 11, 1959.

Mr. WALKER. "Today is established as an honored day by the Congress of these United States to be a day of remembrance to the memory of all veterans of the struggles of our great Nation, from its birth to the present time.

"The Senate of Pennsylvania embraces this hallowed day and reverses its purpose and memories. In all our wars, its veterans have served this great Commonwealth in our Senate with honor and dedication to the purposes

for which they fought and for which so many of their comrades died. Many Members of today's Senate, on both sides of the aisle, of partisan politics, have served in these armed conflicts in which all were only American citizens from the lowest ranks of the Armed Services, and today they continue their services for God and Country.

"Whereas, it is the consensus of opinion of the Senate of Pennsylvania that this day is one to be remembered throughout all history, and

"Whereas, all of us appreciate the great price that veterans back through the years have paid so that we may enjoy the blessings of liberty and independence that so often are lightly accepted by all, and

"Whereas, today we live in a world that knows no real peace nor respect for folks who want to govern themselves, we are constantly reminded of the great sacrifices veterans of the past have made to secure these blessings for our shores, and

"Whereas, in remembering these great men, many of whom laid down their lives that others may live in freedom, we, each of us, rededicate our lives, our intelligence and our sacred honor to the proposition that these blessings may, one day soon, be shared with all mankind everywhere, and

"Whereas, selfish interests have been at the root of all wars back through recorded history, we promise that on the glorious records of our comrades whom we honor today, Veterans Day, that we shall take renewed courage and strength from the example of their lives and deeds, so that we, too, may in our own way show our deep appreciation by courageous, honest, God-fearing dedication to the task of helping keep our country strong and eager to share our blessings with all mankind, so that selfish reasons that have promoted past wars shall be forever erased and replaced by brotherly love that will, one day soon, make the Lord's Prayer a reality in our world today."

On the question,

Will the Senate agree to the resolution?

It was unanimously agreed to.

The PRESIDING OFFICER. At this time, when taps are being sounded in our local communities over the graves of our departed comrades throughout our counties, our State, and our Nation, in keeping with the request of Senator Berger, I am going to call up the Senate and ask them to observe a moment of silent meditation, in respect to those who have given of their lives and to those who have made sacrifices in the wars in which this Country has fought.

(Observance of moment of silent meditation.)

SECOND READING CALENDAR BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 506, Printer's No. 1826;
House Bill No. 568, Printer's No. 1602;
House Bill No. 626, Printer's No. 1761;
House Bill No. 900, Printer's No. 1193;
Senate Bill No. 924, Printer's No. 1087; and
Senate Bill No. 932, Printer's No. 1557.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" authorizing cities of the first class to remove wharves piers bulkheads pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1018, Printer's No. 1308; and
Senate Bill No. 1117, Printer's No. 1335.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (Pamphlet Laws 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales

and all other taxing authorities having an interest in such lands with respect to the distribution of rents income and the proceeds of the resale of such lands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death or presumed death imposing addition taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged nonresidents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property and transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes regulating the entry into safe deposit boxes of a decedent by certain persons and providing penalties dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Revenue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1201, entitled:

An Act amending the act of May 24, 1945 (P. L. 967) entitled "Fictitious Name Act" prohibiting assumed or fictitious names styles or designations from being deceptively similar to other names styles or designations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 1204, Printer's No. 1483, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1261, Printer's No. 1795;
House Bill No. 1323, Printer's No. 627;
House Bill No. 1344, Printer's No. 1876;
House Bill No. 1355, Printer's No. 783;
House Bill No. 1380, Printer's No. 1810;
House Bill No. 1384, Printer's No. 1756; and
House Bill No. 1473, Printer's No. 1618.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1637, entitled:

An Act amending the act of July 13, 1953 (P. L. 447) entitled "Magistrates' Fee Bill of Cities of the First Class" by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1927, Printer's No. 1889;
House Bill No. 1977, Printer's No. 1850; and
House Bill No. 1984, Printer's No. 1879.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1997, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" including certain diseases of fire-fighters within the meaning of the term occupational disease.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 2108, Printer's No. 1890, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2173, Printer's No. 1881, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2175, entitled:

An Act amending the act of March 10, 1949 (P.L. 30) entitled "Public School Code of 1949" validating certain unions of school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2297, Printer's No. 1891; and

House Bill No. 2364, Printer's No. 1683.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2377, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance of new hotel restaurant and club liquor licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2389, entitled:

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" authorizing payments to beneficiaries of the fund while

employed in the service of certain governments and validating and confirming such payments previously made.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P.L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof . . ." authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 2402, Printer's No. 1798, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages" changing the location at which the bridge is to be erected.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**SENATE CONCURRENT RESOLUTION, SERIAL No. 120,
CALLED UP**

Mr. BERGER. Mr. President, I call up, from page 21 of today's Calendar, Senate Concurrent Resolution, Serial No. 120.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study capital punishment.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 120,
ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

REQUESTING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO INSTRUCT THE DIRECTOR OF SCHOOL BUILDINGS TO STUDY VARIOUS PROBLEMS IN THE CONSTRUCTION OF PUBLIC SCHOOL BUILDINGS

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. WHALLEY, WAGNER, WADE and WALKER offered the following resolution (Serial No. 81), which was read and referred to the Committee on Rules:

In the Senate, November 11, 1959.

The General Assembly is currently considering legislation increasing the total amount of reimbursable costs for the construction of public school buildings.

It is of prime importance to the Commonwealth that school buildings be built as economically as possible, consistent with efficiency and practicability.

In many instances, certain phases of school construction do not always meet with the best requirements of the school districts. School officials, school contractors and architects can well profit by the experience of the past. It becomes mandatory that information be collated and disseminated with respect to school building in view of the fact that the Legislature may increase the amount of reimbursable costs.

Better schools would be built and in some instances at a great saving, if the information were made available to school districts, school contractors and architects. This information may be best obtained by the Department of Public Instruction; therefore be it

RESOLVED, That the Superintendent of Public Instruction instruct the Director of the Bureau of School Buildings to

(1) Study the various plans of all school buildings built within the past few years.

(2) Send questionnaires to all architects, school contractors and school districts involved in school building construction, designed to elicit information with respect to the relative efficiency and operating costs of one-story and two-story buildings, construction of gymnasiums and auditoriums, together with ideas on how they could be utilized in connection with other school programs, costs and efficiency of heating systems, time loss due to the moving of pupils from one room to another, the number, dimensions and types of entrances and windows as well as the dimensions of classrooms, unforeseen defects, general and specific maintenance costs and, in the light of

their experiences, suggested changes in plans and specifications which would result in better school buildings.

(3) Collate the information, make a study thereof, and within six months send a report of his findings and recommendations to each member of the Senate, file copies thereof with the Secretary of the Senate and make them available to school districts.

RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations, to be held in the Appropriations Committee Room.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1746

Mr. KESSLER. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1748

Mr. KESSLER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2326

Mr. KESSLER. Mr. President, I further submit the report of the Committee of Conference on House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, I have been instructed by the Committee on Appropriations to report a large group of bills, some as amended and some as committed. I have already turned them over to the Clerk.

REPORTS FROM COMMITTEE

Mr. KESSLER. Mr. President, I now ask unanimous consent to make this report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Appropriations, reported as committed, House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in geological survey to be made in conjunction with the Federal Government.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1897), and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1755, entitled:

A Supplement to the Act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia for the general maintenance and operation of the University and for the School of Medicine.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1764 entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1772 entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1779, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1780 entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

He also, from the Committee on Appropriations reported as committed, House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military affairs for the payment of services of the Civil Air Patrol.

He also, from the Committee on Appropriations reported as amended, House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

He also, from the Committee on Appropriations reported as committed, House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

He also, from the Committee on Appropriations reported as committed, House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forest and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," revising the act; further providing for aid to dependent children and the placing of such children in suitable homes, setting standards for suitable homes, and establishing children's centers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in geological survey to be made in conjunction with the Federal Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1897), and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1755, entitled:

A Supplement to the Act to April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to The Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forest and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commis-

sion in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2310, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2325, entitled:

An Act making appropriations to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2419, entitled:

An Act amending the act of August 5, 1941 (P. L. 752) entitled "Civil Service Act" conferring rights on certain provisional employes and war-duration appointees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2420, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE BILL No. 436 TAKEN FROM TABLE

Mr. BERGER. Mr. President, I call from the table Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 436

Mr. BERGER. Mr. President, I move that the Senate do recede from its non-concurrence in the amendments made by the House to Senate Bill No. 436, Printer's No. 1355.

Mr. PECHAN. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 436, which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 436

Mr. BERGER. Mr. President, I now move that the Senate do concur in the amendments made by the House to Senate Bill No. 436.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Proppert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarraff,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:30 o'clock, p. m., Eastern Standard Time.

AFTER RECESS

The PRESIDING OFFICER (Douglas H. Elliott) in the Chair.

The PRESIDING OFFICER. The Chair wishes to announce that he is presiding at the request of the President pro tempore, M. Harvey Taylor.

The time of recess having elapsed, the Senate will be in order.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of the Reports of Com-

mittees of Conference on House Bills No. 1746, 1748 and 2326.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1746

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1746.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.,	Proper,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Elliott,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1748

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1748.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.,	Proper,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Elliott,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2326

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 2326.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camel,	Koprivier, Jr.,	Proper,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Elliott,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 2100

Mr. KESSLER. Mr. President, on House Bill No. 2100, the House has agreed to accept the amendments placed in the bill by the Senate. Therefore, I move that the Conference Committee appointed on that bill be discharged from further consideration of the bill.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. KESSLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER, on behalf of Mr. ELLIOTT, read in place and presented to the Chair Senate Bill No. 1246, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing the time for the application of refunds of certain paid inheritance taxes.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, together with three other bills, I am about to report a series of House Bills, none of which is House Bill No. 1108. This series of House Bills deal with the remuneration granted to the members of the professional licensing boards.

REPORTS FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying certain provisions relating to express.

He also, from the Committee on Education reported as amended, House Bill No. 496, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in determining the reimbursement fraction and the actual instruction expense definition.

He also, from the Committee on Education reported as amended, Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

He also, from the Committee on Education reported as committed, House Bill No. 1079, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Examiners of Architects.

He also, from the Committee on Education reported as committed, House Bill No. 1085, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation of members of the State Board of Examiners of Public Accountants.

He also, from the Committee on Education reported as committed, House Bill No. 1086, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Chiropractic Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1087, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) increasing the compensation of members of State Board of Nurse Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1088, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) increasing the compensation of members of the State Board of Optometrical Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1089, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Chiropractic Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1090, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Barber Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1091, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Registration Board for Professional Engineers.

He also, from the Committee on Education reported as committed, House Bill No. 1092, entitled:

Amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation of members of the State Dental Council and Examining Board.

He also, from the Committee on Education reported as committed, House Bill No. 1093, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation of members of the State Board of Pharmacy.

He also, from the Committee on Education reported as committed, House Bill No. 1095, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Real Estate Commission.

He also, from the Committee on Education reported as committed, House Bill No. 1096, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Cosmetology.

He also, from the Committee on Education reported as committed, House Bill No. 1097, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) increasing the compensation of members of the State Board of Osteopathic Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1098, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation of members of the State Board of Veterinary Medical Examiners.

He also, from the Committee on Education reported as committed, House Bill No. 1324, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) increasing the compensation and clarifying the duties of the State Board of Private Trade Schools.

He also, from the Committee on Education reported as committed, House Bill No. 1325, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Private Academic Schools.

He also, from the Committee on Education reported as committed, House Bill No. 1327, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) increasing the compensation and clarifying the duties of the State Board of Private Correspondence Schools.

He also, from the Committee on Education reported as committed, House Bill No. 1328, entitled:

An Act amending "The Administrative Code of 1929,"

approved April 9, 1929 (P. L. 177), increasing the compensation and clarifying the duties of the State Board of Private Business Schools.

He also, from the Committee on Education reported as committed, House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106), entitled "An act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, * * * for the use of the county superintendent of schools," providing for the payment of the expenses of the county superintendent of schools.

BILL INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. RUTH, TAYLOR AND BERGER read in place and presented to the Chair Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled, as amended, "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for its membership, chairman and executive committee; . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

Which was committed to the Committee on Rules.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL NO. 374, PRINTER'S No. 401, FROM THE GOVERNOR

Mr. VAN SANT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. VAN SANT offered the following resolution which was read, considered and agreed to:

In the Senate, November 11, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 374, Printer's No. 401, entitled "An act amending the act of May 28, 1931 (P. L. 202), entitled 'An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties' changing the license year to commence the first day of January each year." be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. MADIGAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MADIGAN, from the Committee on Rules, reported as committed, Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled as amended, "An act creating a joint legislative commission, to be known as the Joint State Government

Commission; providing for its membership, chairman and executive committee;" clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of the bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying certain provisions relating to expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 496, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in determining the reimbursement fraction and the actual instruction expense definition.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1079, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Examiners of Architects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1085, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Examiners of Public Accountants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Chiropractic Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1087, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Nurse Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Optometrical Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Chiropody Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1090, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Barber Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1091, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Registration Board for Professional Engineers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing

the compensation of members of the State Dental Council and Examining Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1093, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Pharmacy.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Real Estate Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1096, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Cosmetology.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Osteopathic Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Veterinary Medical Examiners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460, entitled, as amended, "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for its membership, chairman and executive committee; * * *" clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Private Trade Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1325, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Private Academic Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Private Correspondence Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1328, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Private Business Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service, typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1746

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1748

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevolpment assistance.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2326

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

The PRESIDING OFFICER. The Chair requests that the President pro tempore come to the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

House Bill No. 476, Printer's No. 1663;

House Bill No. 804, Printer's No. 1681;

House Bill No. 1746, Printer's No. 1705;

House Bill No. 1748, Printer's No. 1706;

House Bill No. 2326, Printer's No. 1704; and

House Bill No. 2429, Printer's No. 1835.

The PRESIDING OFFICER (Douglas H. Elliott) in the Chair.

The PRESIDING OFFICER. The Senate will be at ease a few moments, awaiting communications from the House.

(The Senate was at ease.)

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 298, PRINTER'S No. 1489, FROM THE GOVERNOR

Mr. BERGER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, on behalf of Mr. WOLFE, offered the following resolution, which was read, considered and agreed to:

In the Senate, November 11, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 298, Printer's No. 1489, entitled "An act making an appropriation out of the fish fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN
AMENDMENTS MADE BY THE SENATE TO
HOUSE BILL No. 2100

The Clerk of the House of Representatives being introduced, informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessments; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; * * *

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 2100

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2100.

HOUSE CONCURS IN RESOLUTION RECALLING FROM
THE GOVERNOR SENATE BILL No. 374

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 11, 1959.

Resolved (If the House of Representatives concur), That Senate Bill No. 374, entitled:

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; . . .," changing the license year to commence the first day of January each year.

be recalled from the Governor for the purpose of further consideration.

The PRESIDING OFFICER. The Chair requests the President pro tempore to approach the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bill:

House Bill No. 2100, Printer's No. 1639.

The PRESIDING OFFICER (Douglas H. Elliott) in the Chair.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, November 16, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:34 o'clock, p. m., Eastern Standard Time, until Monday, November 16, 1959, at 2:00 o'clock, p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 11, 1959.

The House met at 10:00 a. m. EST.

Mr. LOPRESTI in the Chair.

The SPEAKER pro tempore. The Speaker has requested the present occupant of the Chair to call the House to order and to preside temporarily.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting God, Thou who hast created our world and all there is therein; Thou who has created man in Thine own image, and placed him in the world to enjoy all the blessings thereof; and Thou in whom we live and move and have our being; it is with mixed emotions that we come to Thee on this Veterans' Day.

As we look back in history, we are aware of Thy guiding hand leading our forefathers in days gone by. We know that we have received Thy precious blessing. The heritage which our ancestors has given to us has engendered a spirit of freedom, independence and liberty.

O God, bring us to the spirit of remembrance on this day. May we pay tribute to those who gave their last full measure of devotion that this nation under Thee might prosper. May we also honor all those who have heard and answered that call to service in the interest of our nation's safety.

We pause to honor in a special way the passing of Frank Lillie who gave unstintingly of his time to the service of this House faithfully for 25 years.

As we receive Thy great love and care, may we feel heavily Thy hand upon our lives; so that the heritage which has come to us may ever inspire us to resolve by the very lives we live that these shall not have died in vain. Help us to preserve this trust and exert a leadership that will foster this independence. O God, as Thou dost grant us Thy guidance and care, so enable us to project the great principles of this nation in our own lives and in the lives of our fellowmen.

To Thee be the honor and the glory forever and ever. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Tuesday, November 10, 1959 will be postponed until printed.

The Chair hears none.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. BRETH for the remainder of the week.

Mrs. Varallo for Mr. DENNIS for the remainder of the week.

Mr. Tompkins for Mr. AUKER for the remainder of the week.

Mr. Tompkins for Mr. HOCKER for the remainder of the week.

Mr. Tompkins for Mr. ASHTON for the remainder of the week.

Mr. Tompkins for Mr. WOOD for the remainder of the week.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2437, entitled:

An Act abating certain tax penalties, interest and costs on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and institution district taxes; * * *.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2440, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall receive mileage.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2441, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," providing that all witnesses be paid mileage.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2442, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the swearing to and affirming of certain informations charging summary offenses, and the filing of such informations with courts having jurisdiction thereof.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2443, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the preparation of the budget in accordance with the recent constitutional amendment.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

Mr. FETTEROLF from the Committee on Municipal Corporations, re-reported as amended, Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein . . ." further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty on order that they may obtain such training.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors

under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

Mr. McCANN from the Committee on Rules, re-reported as amended, House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 127.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2437, entitled:

An Act abating certain tax penalties, interest and costs on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and institution district taxes; * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2440, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall receive mileage.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2441, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," providing that all witnesses be paid mileage.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2442, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the swearing to and affirming of certain informations charging summary offenses, and the filing of such informations with courts having jurisdiction thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2443, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the preparation of the budget in accordance with the recent constitutional amendment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE OF CONFERENCE

Mr. POLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1746.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

Mr. POLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1748.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

Mr. POLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2326.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1162, entitled:

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275), changing the mode for the advance in classification of cities upon their increase in population.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1564, entitled:

An Act amending the "Intestate Act of 1947" approved April 24, 1947 (P. L. 80), prescribing the spouse's rights in the decedent's estate and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without her joinder.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1635, entitled:

An Act amending the "Lien Priority Law" approved June 28, 1951 (P. L. 927), providing that future advances made by a mortgagee or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed for the purpose of repairing the mortgaged premises shall have the same priority and lien as the original mortgage or deed.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2334, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court * * * certain state officers and the salary and expenses of the members of the General Assembly * * *" changing time for payment of certain portions of salary and expenses.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County * * *" changing the compensation of the members of the General Assembly.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872), entitled "The Penal Code" relating to pawnbrokers dealing with minors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837), entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

RESOLUTION

CONDOLENCE

Messrs. McCANN and A. W. JOHNSON on behalf of the entire membership and staff offered the following resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, November 11, 1959.

Whereas, on November 8, 1959, Divine Providence in its infinite wisdom removed from his family, friends and his associates and from all worldly affairs, Frank J. Lillie, a devoted and dedicated public servant, and

Whereas, His true greatness will be remembered in the manner he served on the staff of this House of Representatives for thirty years, unnoticed and yet effectively. He was a proud yet humble person. During his fourscore years he considered his life not like a goblet to be drained, but one to be filled with service and kindness and understanding. He exemplified and lived by a rule of three—

He governed his temper, tongue and conduct

He cultivated a willingness, courage and gentleness

He practiced thrift, industry and promptness, and for all that he was loved, admired and respected by his fellow man.

Only a short time ago his eightieth birthday was celebrated on the floor of this House. He accepted the acclaim with dignity, grace and modesty. Thus, he leaves fond memories to all of us, and especially to his son, F. Merrill Lillie, to his five grandchildren, and seven great-grandchildren.

Therefore, be it resolved, while bowing to the infinite wisdom of the Divine Providence, that we hereby offer our deepest sympathy and condolence to the bereaved members of his family, and be it further

Resolved, that a suitable copy of this resolution be presented to his family as evidence of the sentiments of this legislative body.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. In conformity with the wishes of the Members of the House, the Chair declares a recess from Legislative business that we may devote ourselves to the observance of a day that should receive increasing

attention and consideration as the years go by, Veterans' Day, a day of precious memories, precious memories that are mingled with regrets, regrets that the high resolutions, the idealism, of those who made Veterans' Day possible have not been embodied in the action of those of us who entered the scene and Armistice Day became a memory. I marched and I think all of you marched in demonstrations, dedicated as we were, to devoting our lives and our blood to the task of making the world free for democracy, but, fortunately, the flame, devotion, idealism that Veterans' Day represents still burns as a fact, not a memory.

We have among us and with us not only those who can speak of history, but who made history. Among those who made history the guest speaker, who has honored us with his presence today, is and has been a conspicuous figure and, as he speaks to you, as I say, he is one who simply has not placed himself in a position to talk of history, but one who helped to make it.

It is, therefore, a privilege to present to this House our Adjutant General, General Biddle, who will now address you.

ADDRESS BY GENERAL A. J. BIDDLE, JR.

MAJ. GEN. A. J. BIDDLE, JR. Mr. Speaker, Members of the House of Representatives, the privilege of addressing so distinguished a gathering is one of which I am deeply sensible.

This is an occasion of meaning. It affords us a moment to reflect on the past armed conflicts in which our country has engaged, and to look ahead, to think of the future.

The most meaningful memorials are those that live in the hearts and the minds of men. Veterans Day is such a one, a day our thoughts are stirred by the memories of those gallant Americans who met the challenges of the times with faith and courage rooted deep in devotion to our nation, and to our ideals.

It is a day which emphasizes that the valorous deeds of the men who fought in World War I, and in the European and Pacific Theaters of Operation in World War II, and of those who fought in Korea, must ever be, for us, a source of inspiration and heartfelt pride.

And all Pennsylvania may well take additional pride in the fact that many of those brave young men, who fought in World War II, and later in Korea, received their essential training at our own Indian town Gap Military Reservation; the kind of training it takes to win in battle, with the minimum of casualties. Now, I am going to talk to you less of what those men did than of what their deeds mean to us. Thanks to their example, we face the future with boundless courage and faith.

It is important that we give thought and study to the true meaning of this day, and though we cannot control the past, the present and the future are measurably within our hands.

It is therefore appropriate that Veterans Day not only pays tribute to the service and achievements of our former fighting men, but that it simultaneously re-emphasizes the nation's continuing efforts to solve global problems across the conference table instead of on the battlefield.

It is in this connection that our observance of Veterans Day will become more and more important, more con-

cerned with the developments of the times; this because an increasing number of veterans as well as of the youth eligible for service, will be undertaking an active role in military affairs, through participation in the National Guard and in the Reserve, as well as in the Active Army. They will personify the vigorous realism of this significant day of remembrance.

Veterans Day, by its very name, implies an understanding of the realities of war. Accordingly, perhaps one of the most significant characteristics of Veterans Day is its persistent reminder that it is with its guard up against the inroads of tyranny that the United States should face the future.

We all know the price that has already had to be paid three times in less than 40 years for our nation's lack of military readiness when hostilities broke out.

A future enemy would certainly make every effort to strike heavily and rapidly at the United States itself.

Then, too, we have only to recall that in Korea our ground forces were nearly swept into the sea in the early stages of the war. This near-disaster occurred because active units had been shorn of essential organic elements; hence were understrength and spread too thinly to support our world-wide commitments.

If we are to avoid the tragedies of the past, we must face up to the realities of the future. In short, reasonable preparedness in peace-time is essential to our hope for victory in war.

It is also essential to our hope for maintaining peace on acceptable terms. This is true because successful diplomacy depends upon our ability to negotiate from a position of strength.

It would be appropriate at this point, I think, if I were to touch on a subject that is close to all our hearts, yet one that requires the greatest degree of perseverance and patience, and, at the same time, the exercise of sustained vigilance, namely, our search for peace.

Our consideration of the matter, I think you'll agree, calls, at once, for a restatement that a search for peace is indeed a solemn purpose, prayerfully shared by all Americans, and that what we seek is an enduring, honorable, and just one, consonant with our indestructible faith in freedom, under the guidance of God.

Certainly, it is our devout wish to bring about these conditions, and it is our desire that there be overlooked no opportunity for discussions which might conceivably lead to an honorable accommodation of differences. Yet, each time we have in the past offered to engage in talks which, at the outset, might have seemed to open the way towards this end, the leaders of militant Communism have deliberately placed some stumbling block in the way. So whether we may expect to achieve peace in our time, the kind of peace we insist upon, is a matter of conjecture.

But in the meantime we must be allowed to go about our business of furthering the development of our country. And to do this we urgently need time and a climate conducive of the greatest possible degree of confidence and tranquility of mind. I strongly believe such a climate is an absolutely attainable objective. Hence, until such time as there might have been achieved a dependable, honorable peace, we shall continue to need the military capability, and the will to trigger it, that it takes

to deter aggression, and to keep any one or more nations from interfering in the internal affairs of others.

In attempting to evaluate the meaning of the official announcements, following high level discussions at the close of Chairman Khrushchev's tour of the United States, it would be well to bear in mind that these talks were not a declaration of peace, but more in the nature of "time out" to make way for a re-examination of the issues. Their success or failure could hardly be expected to become evident until perhaps after the President's return here from his proposed trip to the Soviet Union.

If, following this, or in the meantime, the Soviets were to revive the Berlin controversy, or to permit their Far East Allies to continue to engage in aggressive action against Formosa, Laos, or India, it would mean that the recent talks would have met the same fate as had those at the 1955 Geneva Conference. But if an accord of substantial nature were to emerge, then we might consider these talks to have resulted in a measurable degree of success.

The President's action in inviting Chairman Khrushchev to this country demonstrated the President's desire to seize every opportunity to work for an honorable peace, just as is the President's scheduled tour of some nine countries abroad an earnest search for peace, as well as a promotion of Western thought and policy.

As a part of this determined and strenuous effort is his scheduled attendance at the Western Summit meeting, with a view to assuring a common and unified Western policy in advance of an eventual East-West conference. And of course all Americans are earnestly hopeful of tangible results.

At the same time I hardly think we should be subject to reproach if we seized full opportunity to think out loud about the merits or demerits of the proposals both for full and partial disarmament, and all connected matters. For, after all, freedom is at stake, and whatever is done will spiritually and materially affect our future.

Taking a sharp look at some of the aftermaths of Chairman Khrushchev's visit would, I believe, prompt one to exercise caution against hastily accepting at face value the Chairman's disarmament and peace proposals, prior to further discussion of any specific problems. I have in mind, among other things that have come to pass, continued—even increasing—Communist efforts at subversion in the Caribbean and throughout Latin America.

Moreover, the Khrushchev visit here served to boost the spirits and the activities of the Communist Party in the United States.

Then, too, there is Communist China's increasing aggressiveness towards its neighbors, and towards us.

And significantly figuring among these disappointing aftermaths was Khrushchev's upholding of Communist China's demand for return of the Nationalist-held offshore islands, while disclaiming any control over Communist China's policy.

While he agreed with President Eisenhower, at Camp David, to settle differences by negotiation, and while this may be taken as an encouraging sign that discussions at the proposed Summit Meeting might lead to useful results, the Western leaders may hardly be expected to believe that Moscow stands prepared to compromise on any fundamental issues, or that Moscow is ready to co-

operate for a peace through any abandonment of basic Soviet policy.

Moreover, I feel sure that the Western leaders know that the only way to negotiate is to be united in advance concerning what we are prepared to do.

Recent action by the Western Powers and Soviet Russia, in sponsoring, in the United Nations General Assembly, a joint disarmament resolution, still represents an agreement only in principle—and one which must be tested by practical results. And, unfortunately in this connection, the Soviets' record is a dim one, particularly concerning effective inspections and control.

The Soviet delegate bluntly told the Assembly that his country refused to accept general and complete control, or to open his country to comprehensive inspection during the partial disarmament period. He said Moscow would accept this only following total disarmament. This, then, would occur at a time when the West would be incapable of doing anything about it, should the Soviets renege. Indeed, the West would by then have become unable to defend itself in event that the Soviets might have cheated.

What we propose is control first, and then disarmament. What Chairman Khrushchev proposes is the abolition of all our overseas bases and disarmament before any effective inspection or control. The question, then, is one of pre-control. In fact, the whole question revolves around one of control. Short of that, there could, of course, be no disarmament at all. And in that case the policy of deterring aggression would necessarily continue.

Then, too, inextricably tied into the question of disarmament is a possible settlement of outstanding political issues.

So, to attempt to effect disarmament prior to a solution of these vital issues would be putting the cart before the horse. Indeed, the only sensible and safe way to deal with the question of disarmament would be first to remove the causes that render the burden of armaments necessary.

Otherwise, it would be as if a carpenter were to lay down his hammer and saw with the work unfinished.

Hence, to grant disarmament priority of consideration would be to treat primarily with symptoms, rather than the causes.

Then, too, we cannot forget that our country has, in the past, spearheaded efforts to bring about disarmament, but that these led only to disillusionment. For, after we had effected considerable reductions, we found our national security threatened.

So, as I see it, our expressed desire for disarmament is more or less a case of "window shopping." We should all like to have it, but we just don't seem to have the means of securing it.

Prior to Chairman Khrushchev's visit here there had been indications that he was woefully ignorant of the United States, and that this ignorance, plus perhaps wish-thinking, had given rise to a potentially dangerous miscalculation of our nation's power and determination. Indeed, he might well have become a prisoner of his own wish-thinking, and consequently developed a closed mind on the subject. We have only to recall Moscow's two ultimatums concerning Berlin, to see what value the Kremlin had erroneously placed on the strength of our defense posture in relation to its own.

To my mind, the only thing that counts in Chairman Khrushchev's mind in evaluating the West, the United

States in particular, is his estimate of the power balance—and, an integral part of that power is, of course, his estimate of our will to trigger our military capability, if need be.

As regards the purely military aspect, I feel that, while he knows, as we do, that we do not match him man for man, or perhaps even missile for missile, we do have what it takes to bring about a massive burial in the Soviet Union.

But where I feel that his wish-thinking had led to miscalculation was concerning the spiritual or moral factor; in other words, our will to fight, if necessary.

It is therefore to be hoped that his visit served to dispel from his mind any such erroneous thinking. And that was why it was so important that he gain a first-hand impression of the moral strength and determination of our people, and that he see for himself that they support the President in his foreign policy. So if the Chairman is now personally convinced that all Americans believe in their Democracy, and support their Government, the visit would have been well worthwhile.

So, looking back upon the significant visit of our recent guest, it might be said that while we could hardly have expected any results of a miraculous nature, still it might well have served to remove his earplugs and blinders concerning the will, determination, and stamina of our people. And, if he were thus to have gained an understanding of what we have, and what we would do with it if he initiated a rash move, then his visit would have served a useful purpose.

We have a clearer measure of him, and the challenge he represents. And we may hope he left our shores more than previously informed about us.

The Soviets may perhaps want a reduction of tensions; also, some peaceable stabilization. Yet they are certainly not so taken with this tactic that they would fail to seize advantage of any signs of lessening in our determination. Hence, nothing could so cripple the chances of negotiating from strength than a premature curtailment of our military capability. To do so would be to jeopardize our fondest hopes for an honorable settlement of outstanding issues. Indeed, we can afford to be optimistic only if we plan and prepare for the worst.

Hence, to insure the effective forwarding of our foreign policy, it must work from a base of prestige—a prestige that includes a firm adherence to our principles backed up by a recognized invincible military capability and the will to trigger it, if need be. Moreover, it is a highly important mission of our foreign policy to drive these facts home in the minds of our friends, and of our potential enemies abroad.

This is what it takes to avoid, in the minds of our potential enemies, miscalculation; and in the field of foreign policy, resorting to ad hoc procedure and, in the military domain, the crash job.

What is more, it is this caliber of prestige that it takes to effectively support our representatives as they negotiate in these crucial times.

The SPEAKER. The House thanks the General and the Chair thanks the General.

And now Dr. Dengler, in view of the fact that the choir is not able to be with us as a whole, will lead the House in singing "God Bless America."

Dr. Dengler led the members in singing "God Bless America."

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I request permission to inform the House of our plans and working schedule for the hours here today.

It is our hope that we will continue to work now, later to break for lunch, and then return to the House and continue to work for the balance of the day to complete the schedule.

With that in mind in our discussion early today, we have not scheduled any caucuses at this time—unless a change may occur later in the day. If that meets with the approval of the House we will be ready in a few minutes to begin on the first roll call order of business here today.

BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1161 on page 7 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GIBB. Mr. Speaker, this bill was introduced at the request of the Superintendent of Education of Allegheny County.

While it was designed to help my home school district, it is equally applicable throughout the state. House Bill 1161 would merely provide that for a period of five years the reimbursement on account of instruction paid to a union school district would be at least as much as paid to the component districts. For example, ten districts comprising the Quaker Valley Joint Schools receive \$294,855 state aid on account of instruction. If these districts were to be formed into a union district, they would receive only \$258,231. Furthermore, these districts have a millage ranging from 14 to 28 mills. In raising \$700,931, on a basis of a uniform tax of 20.7 mills on the assessed valuation of \$33,836,121, the wealthier districts would be compelled to increase taxation of their people in the amount of \$39,694 per year. A corresponding decrease would accrue to the citizens of the less wealthy districts. The supplemental aid payable to this union school district would be only \$35,292. The bill proposes a guarantee for a period of five years. The assumption is that the increased population over a five-year period will make up the loss that would be covered by this bill.

Mr. Speaker, I ask the support of this bill by both sides of the House.

Mr. EILBERG. Mr. Speaker, I rise to speak in opposition to this bill.

Let me say preliminarily, that in view of what has been happening here in the House and more recently with respect to Philadelphia's status—I must say at this point that I am sorry that I am from Philadelphia, because

I am afraid some Members may feel that my point of view is a biased one. I am asking everyone with all the sincerity at my command to try to divorce in their minds the fact of where I come from and try to consider whether or not what I say makes any sense.

It is important that we not confuse this bill with House Bill 1108, which this House passed yesterday. 1108 provided additional money for, I suppose, all the school districts throughout the state. Additional money and additional appropriations will, no doubt, be necessary. On the other hand, the bill that is before us provides that where certain mergers take place, those districts which form mergers will continue to get the same amount for the next five years that they did for the last year, whereas the remaining school districts throughout the state will nevertheless be subject to the action of the formula and will receive amounts accordingly. So we are not dealing with a situation which will benefit the majority of school districts throughout the state.

I do not know what Philadelphia may lose by 1161 if it is enacted, and I cannot tell you what any particular district might lose if 1161 were enacted, but if 1161 is enacted it is very clear that the moneys available for educational purposes will be reduced and therefore all of the school districts will suffer to some extent.

A week or two ago I heard a very interesting description of how 1161 operates offered by one of the Members of this House, which I would like to pass on to the Membership at large. We provide a certain amount of money for educational purposes; this Legislature does that. Let's call it an educational pie, so to speak. Now we have certain school districts which under 1161 would merge and would get as a result of merging a greater piece of that pie than they would be allowed to receive under the operation of the formula. Since they would be receiving a larger cut of the pie, the amount remaining would therefore be less than would be required to meet the needs of all the other school districts throughout the state. This fact is essential to an understanding of this bill.

Now proponents of this bill say that the purpose of it is to encourage mergers and to effect economies in the operation of the school districts. I say to you, Mr. Speaker, that one of the most important things we want to do is not merely to have districts effect economies, but to help districts to support themselves, which should be and is our desire, and is the desire of students of this field. I readily admit that I am not a student of the educational field, but I have studied this bill. We want to encourage mergers to the point where they will have sufficient numbers of students in the merger, sufficient amounts of real estate or wealth so that the merger may in effect support itself.

I ask you what is accomplished by merging districts that are very, very small. We have school districts in the state which have as few as 10 pupils, 100 pupils, 200 pupils, 300 pupils, very, very small districts. I say to you if there were to be a merger of two very small districts, we do not thereby recognize or encourage this district to hope to finance itself. We merely perpetuate a gift to the district. So I say to you if there were something in the bill to require that a sufficient number of students be in the new merger and therefore as a consequence there would be additional wealth in the com-

munity, then perhaps there would be some merit in this bill, and in that connection, many of us here are content with the studies of the State Council of Education.

The State Council of Education tells us, and I have a document in my hand to that effect, there should be a minimum of 1,600 school students in any merger in order for a merger to begin to operate on a sound financial basis, considering the wealth and financial background of that community, we must have 1,600. Other students in the field say that there should be at least 2,400 students. I repeat again a great many districts in this Commonwealth are infinitesimal in size. In fact, I understand that 80 percent, close to 80 percent, of the school districts have less than the 1,600 enrollment recommended by the State Council of Education.

This bill provides that any districts merging in accordance with the bill will continue to get the same amounts for the next five years. I can hardly believe that when these five years expire they will not come back or that there will not be additional legislation to perpetuate the freeze for another five years, and another five years, and another five years. Is this the way we are going to solve the educational dilemma in Pennsylvania? I think not.

One other point. Yesterday this House passed House Bill 1108, and indications are that the other Chamber will do likewise. I call to the attention of this House a very significant thing. We are trying to help small, very poor districts here. Bear in mind that under 1108 as passed yesterday, these very same districts that we are now trying to help with 1161 we helped yesterday with 1108. Some of the poorest districts in the state will, through the coming years, get an increase per teaching unit in amounts varying from \$500 to \$1,000 per teaching unit. Yesterday this House gave resounding help to the very same districts. Are we going to keep this up indefinitely to the point where we are completely subsidizing the small units without providing any incentive on the part of the local community to properly merge and pay for itself?

I say to you, Mr. Speaker, this bill is ill-advised and urge all the Members on both sides to vote "No."

The SPEAKER. This is the first roll call. Again the Chair objects, during roll calls, to discussions and personal or even official conferences which distract the attention of the Members. Later on when we do not have to have a basic roll call we can be more liberal.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Agnew,	George,	Machmer,	Schuster,
Balthaser,	Gibb,	Magee,	Seltzer,
Barton,	Goldstein,	Mahan,	Shupnik,
Bell,	Goodrich,	Markley,	Snider,
Blair,	Gramlich,	Meholchick,	Steckel,
Bonner,	Guthrie,	Merry,	Stevens,
Boris,	Hamilton,	Miller, H. G.,	Stimmel,
Bower,	Heffner,	Mills,	Stoner,
Buchanan,	Holliday,	Munley,	Strausser,
Burns,	Isaacs,	Murphy, A. J., Jr.,	Thompson,
Cioffi,	Jenkins,	Murray, H. P.	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Crossin,	Johnson, A. W.,	Musto,	Verner,
Curwood,	Johnson, R.,	Naugle,	Verona,
Davis,	Jones, T. H. W.,	Needham,	Wall,
Dengler,	Jump,	O'Dell,	Wargo,

Dennison,
Donahue,
Donaldson,
Down,
Edwards,
Eshback,
Eshleman,
Farabaugh,
Fetterolf,
Filo,
Fox,
Frank,
Fulmer,
Gallagher,
Garlock,

Kelser,
Kernaghan,
Kessler,
Knecht,
Kocker,
Kovolenko,
Kubitsky,
Lamb,
Lippincott,
Lopresti,
Luigard,
McCandless,
McCann,
McDonald,
McInroy,

O'Donnell, J. A.,
Odorisio,
Perry, H. H.,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,
Rovanseck,
Royer,
Schaaf,
Weidner,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wilt,
Worley,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—40

Anderson,
Arlene,
Cianfrani,
Comer,
Devlin,
Ellberg,
Fineman,
Floyd,
Foerster,
Galley,

Gelfand,
Henzel,
Holt,
Horst,
Irviss,
Jones, F. R.,
Kamyk,
Kee,
Lee, A. M.,
Leonard,

Limper,
Lutty,
McCormack,
McLaughlin,
Mihm,
Miller, B. Z.,
Monroe,
Muldowney,
Parlante,
Pashley,

Perry, P. E.,
Riley,
Schwartz,
Sherman,
Silverman,
Stewart,
Sullivan,
Taylor,
Varallo,
Welsh,

NOT VOTING—48

Ashton,
Auker,
Bodes,
Bowman,
Branca,
Brenninger,
Breth,
Brown,
Capano,
Capitolo,
Cooper,
Dennis,

Dougherty,
Ewing,
Flynn,
Frascella,
Heavey,
Helm,
Hocker,
Kornick,
Korns,
Lee, K. B.,
Light,
McKeever,

Maxwell,
Moran,
Mullen,
Murphy, P. J.,
Murray, P. G.,
Nelson,
O'Donnell, J. P.,
Ogilvie,
O'Neill,
Petroski,
Reidenbach,
Rudisill,

Sakulsky,
Scarcelli,
Snare,
Stank,
Stone,
Stroup,
Ujobai,
Walsh,
Wheeler,
Willaredt,
Wood,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1002 on page 4 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1002, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing additional enforcement procedures on traffic violations in boroughs towns and townships.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Agnew,
Anderson,
Arlene,
Balthaser,
Barton,
Bell,
Blair,
Bonner,

George,
Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,

McInroy,
McKeever,
McLaughlin,
Machmer,
Mahan,
Markley,
Maxwell,
Rovanseck,
Royer,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Seltzer,

Boris, Bower, Brenninger, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Gallagher, Garlock, Gelfand,	Heffner, Henzel, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jm, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Dorisio, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Sherman, Shupnik, Silverman, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Welsh, Wargo, Weldner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Zimmerman, Andrews, Speaker
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NAYS—2

Galley, Yetter,

NOT VOTING—29

Ashton, Auker, Boies, Bowman, Branca, Breth, Brown,	Capano, Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Light, Moran, Murray, P. G., Nelson, Ogilvie, Petrosky,	Rudisill, Stank, Stone, Stroup, Ujobal, Walsh, Wheeler, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN, asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2411 on page 5 of today's calender, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Anderson, Arlene, Balthaser, Barton, Bell, Blair, Bonner, Boris, Bower, Brenninger, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Gallagher, Garlock, Gelfand,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, J. J., Murray, H. P., Musto, Naugle, Needham, O'Donnell, J. A., O'Donnell, J. P., O'Dorisio, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Rovansek, Royer, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Wargo, Weldner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—1

Lippincott,

NOT VOTING—29

Ashton, Auker, Boies, Bowman, Branca, Breth, Brown,	Capano, Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Light, Moran, Murray, P. G., Nelson, Ogilvie, Petrosky,	Rudisill, Stank, Stone, Stroup, Ujobal, Walsh, Wheeler, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123), entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. FINEMAN and GOLDSTEIN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 3, line 7, by striking out "two years" and inserting: "one year from the date of the actual broadcast or telecast."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Rovansek,
Anderson,	George,	McInroy,	Royer,
Arlene,	Gibb,	McKeever,	Sakulsky,
Balthaser,	Goldstein,	McLaughlin,	Scarcelli,
Barton,	Goodrich,	Machmer,	Schaaf,
Bell,	Gramlich,	Magee,	Schuster,
Blair,	Guthrie,	Mahan,	Schwartz,
Bonner,	Hamilton,	Markley,	Seltzer,
Boris,	Heavey,	Maxwell,	Sherman,
Bower,	Heffner,	Meholchick,	Shupnik,
Brenninger,	Henzel,	Merry,	Silverman,
Buchanan,	Holliday,	Mihm,	Snare,
Burns,	Holt,	Miller, B. Z.,	Snider,
Capitolo,	Horst,	Miller, H. G.,	Steckel,
Cianfrani,	Irvis,	Mills,	Stewart,
Cioffi,	Isaacs,	Monroe,	Stevens,
Clarke,	Jenkins,	Muldowney,	Stimmel,
Comer,	Jim,	Mullen,	Stoner,
Crossin,	Johnson, A. W.,	Munley,	Strausser,
Curwood,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Davis,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Dengler,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dennison,	Jump,	Murray, J. J.,	Tompkins,
Devlin,	Kamyk,	Musto,	Trusio,
Donahue,	Kee,	Naugle,	Varallo,
Donaldson,	Keiser,	Needham,	Varner,
Dougherty,	Kernaghan,	O'Dell,	Verona,
Down,	Kessler,	O'Donnell, J. A.,	Wall,
Edwards,	Knecht,	O'Donnell, J. P.,	Wargo,
Eilberg,	Kooker,	Odoriso,	Weidner,
Eshback,	Korns,	O'Neil,	Welsh,
Eshleman,	Kovolenko,	Parlante,	Wescott,
Farabaugh,	Kubitsky,	Pashley,	Whittaker,
Fetterolf,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polaski,	Willard,
Floyd,	Leonard,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,
Garlock,	McCormack,	Riley,	Speaker

NAYS—0

NOT VOTING—29

Ashton,
Auker,
Boles,
Bowman,
Branca,
Breth,
Brown,
Capano,

Cooper,
Dennis,
Ewing,
Frascella,
Helm,
Hocker,
Kornick,

Light,
Moran,
Murray, P. G.,
Nelson,
Ogilvie,
Petrosky,
Rudisill,

Stank,
Stone,
Stroup,
Ujobai,
Walsh,
Wheeler,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1479 on page 8 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1479, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof * * *" providing for the payment of expenses related to investments from interest earnings on the fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken an were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Rovansek,
Anderson,	George,	McInroy,	Royer,
Arlene,	Gibb,	McKeever,	Sakulsky,
Balthaser,	Goldstein,	McLaughlin,	Scarcelli,
Barton,	Goodrich,	Machmer,	Schaaf,
Bell,	Gramlich,	Magee,	Schuster,
Blair,	Guthrie,	Mahan,	Schwartz,
Bonner,	Hamilton,	Markley,	Seltzer,
Boris,	Heavey,	Maxwell,	Sherman,
Bower,	Heffner,	Meholchick,	Shupnik,
Brenninger,	Henzel,	Merry,	Silverman,
Buchanan,	Holliday,	Mihm,	Snare,
Burns,	Holt,	Miller, B. Z.,	Snider,
Capitolo,	Horst,	Miller, H. G.,	Steckel,
Cianfrani,	Irvis,	Mills,	Stewart,
Cioffi,	Isaacs,	Monroe,	Stevens,
Clarke,	Jenkins,	Muldowney,	Strausser,
Comer,	Jim,	Mullen,	Stimmel,
Crossin,	Johnson, A. W.,	Munley,	Stoner,
Curwood,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Davis,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Dengler,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dennison,	Jump,	Murray, J. J.,	Tompkins,
Devlin,	Kamyk,	Musto,	Trusio,
Donahue,	Kee,	Naugle,	Varallo,
Donaldson,	Keiser,	Needham,	Varner,
Dougherty,	Kernaghan,	O'Dell,	Verona,
Down,	Kessler,	O'Donnell, J. A.,	Wall,
Edwards,	Knecht,	O'Donnell, J. P.,	Wargo,
Eilberg,	Kooker,	Odoriso,	Weidner,
Eshback,	Korns,	O'Neil,	Welsh,
Eshleman,	Kovolenko,	Parlante,	Wescott,
Farabaugh,	Kubitsky,	Pashley,	Whittaker,
Fetterolf,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polaski,	Willard,

Floyd,	Leonard,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,
Garlock,	McCormack,	Riley,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Cooper,	Light,	Stank,
Auker,	Dennis,	Moran,	Stone,
Boles,	Ewing,	Murray, P. G.,	Stroup,
Bowman,	Frascella,	Nelson,	Ujobai,
Branca,	Helm,	Ogilvie,	Walsh,
Breth,	Hocker,	Petrosky,	Wheeler,
Brown,	Kornick,	Rudisill,	Wood,
Capano,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2029, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for tuition payments to the State by pupils attending State Teachers' College training schools.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mrs. REIBMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Rovansek,
Anderson,	George,	McInroy,	Royer,
Arlene,	Gibb,	McKeever,	Sakulsky,
Balthaser,	Goldstein,	McLaughlin,	Scarcell,
Barton,	Goodrich,	Machmer,	Schuster,
Bell,	Gramlich,	Magee,	Schwartz,
Blair,	Guthrie,	Mahan,	

Bonner,	Hamilton,	Markley,	Seltzer,
Boris,	Heavey,	Maxwell,	Sherman,
Bower,	Heffner,	Meholchick,	Shupnik,
Brenninger,	Henzel,	Merry,	Silverman,
Buchanan,	Holliday,	Mihm,	Snare,
Burns,	Holt,	Miller, B. Z.,	Snider,
Capitolo,	Horst,	Miller, H. G.,	Steckel,
Clanfrani,	Irlis,	Mills,	Stevens,
Cioffi,	Isaacs,	Monroe,	Stewart,
Clarke,	Jenkins,	Muldowney,	Stimmel,
Comer,	Jim,	Mullen,	Stoner,
Crossin,	Johnson, A. W.,	Munley,	Strausser,
Curwood,	Johnson, R.,	Murphy, A. J., Jr.	Sullivan,
Davis,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Dengler,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dennison,	Jump,	Murray, J. J.,	Tompkins,
Devlin,	Kamyk,	Musto,	Trusio,
Donahue,	Kee,	Naugle,	Varallo,
Donaldson,	Keiser,	Needham,	Varner,
Dougherty,	Kernaghan,	O'Dell,	Verona,
Down,	Kessler,	O'Donnell, J. A.,	Wall,
Edwards,	Knecht,	O'Donnell, J. P.	Wargo,
Ellberg,	Kooker,	Odorisio,	Weidner,
Eshback,	Kovolenko,	O'Neil,	Welsh,
Eshleman,	Korns,	Parlante,	Wescott,
Farabaugh,	Kubitsky,	Pashley,	Whittaker,
Fetterolf,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polaski,	Willard,
Floyd,	Leonard,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,
Garlock,	McCormack,	Riley,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Capano,	Kornick,	Rudisill,
Auker,	Cooper,	Light,	Stank,
Boles,	Dennis,	Moran,	Stone,
Bowman,	Ewing,	Murray, P. G.,	Stroup,
Branca,	Frascella,	Nelson,	Ujobai,
Breth,	Helm,	Ogilvie,	Walsh,
Brown,	Hocker,	Petrosky,	Wheeler,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2098, entitled:

An Act amending the "Unfair Cigarette Sales Act" approved May 20, 1949 (P. L. 1584) making technical changes therein.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Agnew,	Gallagher,	McKeever,	Rovansek,
Anderson,	Garlock,	McLaughlin,	Royer,
Arlene,	Gelfand,	Machmer,	Sakulsky,
Balthaser,	George,	Magee,	Scarcell,
Barton,	Gibb,	Mahan,	Schaaf,
Blair,	Goldstein,	Markley,	Schuster,
Bonner,	Goodrich,	Maxwell,	Schwartz,
Boris,	Gramlich,	Meholchick,	Seltzer,
Bower,	Guthrie,	Merry,	Sherman,
Brenninger,	Hamilton,	Mihm,	Shupnik,
Buchanan,	Heavey,	Miller, B. Z.,	Silverman,

Burns, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Eilberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Lutty, McCandless, McCann, Fulmer, Galley,	Henzel, Heffner, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lopresti, Luigard, McCormack, McDonald, McInroy,	Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P. Odorisio, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varnier, Verona, Wall, Wargo, Weldner, Wescott, Welsh, Whittaker, Williams, E. S., Willard, Willaredt, Wilt, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—8

Bell, Edwards,	Fox, Holliday,	Isaacs, Lippincott,	Williams, A.D., Jr., Worley,
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NOT VOTING—29

Ashton, Auker, Boles, Bowman, Branca, Breth, Brown,	Capano, Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Light, Moran, Murray, P. G., Nelson, Ogilvie, Petrosky,	Rudisill, Stank, Stone, Stroup, Ujobal, Walsh, Wheeler, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MULDOWNEY asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) changing definition of final average salary for classroom teachers with thirty-five or more years of service.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew, Anderson,	Gelfand, George,	McDonald, McInroy,	Royer, Sakulsky,
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Arlene, Balthaser, Barton, Bell, Blair, Bonner, Boris, Bower, Brenninger, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Lutty, McCandless, McCann, Garlock,	Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Johnson, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A.J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanssek,	Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varnier, Verona, Wall, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—29

Ashton, Auker, Boles, Bowman, Branca, Breth, Brown,	Capano, Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Light, McKeever, Moran, Murray, P. G., Nelson, Ogilvie,	Petrosky, Rudisill, Stank, Stone, Stroup, Ujobal, Walsh, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing homebound instruction for children confined in detention homes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew, Anderson, Arlene, Balthaser, Barton, Bell,	Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich,	McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan,	Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz,
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Blair,	Guthrie,	Markley,	Seltzer,
Bonner,	Hamilton,	Maxwell,	Sherman,
Boris,	Heavey,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Brenninger,	Henzel,	Mihm,	Snare,
Buchanan,	Holliday,	Miller, B. Z.,	Snider,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irviss,	Monroe,	Stewart,
Cioffi,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, F. R.,	Murray, H. P.,	Thompson,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Trusio,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kee,	Needham,	Varner,
Donaldson,	Keiser,	O'Dell,	Verona,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wall,
Down,	Kessler,	O'Donnell, J. P.	Wargo,
Edwards,	Knecht,	Odorisio,	Weldner,
Eilberg,	Kooker,	O'Neil,	Welsh,
Eshback,	Korna,	Parlante,	Wescott,
Eshleman,	Kovolenko,	Pashley,	Wheeler,
Farabaugh,	Kubitsky,	Perry, H. H.,	Whittaker,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polen,	Willard,
Floyd,	Leonard,	Prendergast,	Willaredt,
Flynn,	Limper,	Price,	Wilt,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Fulmer,	Lutty,	Renwick,	Yetter,
Galley,	McCandless,	Rigby,	Zimmerman,
Gallagher,	McCann,	Riley,	Andrews,
Garlock,	McCormack,	Rovansek,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Capano,	Kornick,	Petrosky,
Auker,	Cooper,	Light,	Rudisill,
Boles,	Dennis,	McKeever,	Stank,
Bowman,	Ewing,	Moran,	Stone,
Branca,	Frascella,	Murray, P. G.,	Stroup,
Breth,	Helm,	Nelson,	Ujobai,
Brown,	Hocker,	Ogilvie,	Walsh,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2422, entitled:

An Act amending the "Uniform Commercial Code" approved April 6, 1953 (P. L. 3) correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Agnew,	Gelfand,	McDonald,	Royer,
Anderson,	George,	McInroy,	Sakulsky,
Arlene,	Gibb,	McLaughlin,	Scarcelll,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Bonner,	Hamilton,	Maxwell,	Sherman,

Boris,	Heavey,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Brenninger,	Henzel,	Mihm,	Snare,
Buchanan,	Holliday,	Miller, B. Z.,	Snider,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Isaacs,	Monroe,	Stewart,
Cloffi,	Irviss,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, F. R.,	Murray, H. P.,	Thompson,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Trusio,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kee,	Needham,	Varner,
Donaldson,	Keiser,	O'Dell,	Verona,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wall,
Down,	Kessler,	O'Donnell, J. P.	Wargo,
Edwards,	Knecht,	Odorisio,	Weldner,
Eilberg,	Kooker,	O'Neil,	Welsh,
Eshback,	Korna,	Parlante,	Wescott,
Eshleman,	Kovolenko,	Pashley,	Wheeler,
Farabaugh,	Kubitsky,	Perry, H. H.,	Whittaker,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polen,	Willard,
Floyd,	Leonard,	Prendergast,	Willaredt,
Flynn,	Limper,	Price,	Wilt,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Fulmer,	Lutty,	Renwick,	Yetter,
Galley,	McCandless,	Rigby,	Zimmerman,
Gallagher,	McCann,	Riley,	Andrews,
Garlock,	McCormack,	Rovansek,	Speaker

NAYS—1

Worley,

NOT VOTING—29

Ashton,	Capano,	Kornick,	Petrosky,
Auker,	Cooper,	Light,	Rudisill,
Boles,	Dennis,	McKeever,	Stank,
Bowman,	Ewing,	Moran,	Stone,
Branca,	Frascella,	Murray, P. G.,	Stroup,
Breth,	Helm,	Nelson,	Ujobai,
Brown,	Hocker,	Ogilvie,	Walsh,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Royer,
Anderson,	George,	McInroy,	Sakulsky,
Arlene,	Gibb,	McLaughlin,	Scarcelll,
Balthaser,	Goldstein,	Machmer,	Schaaf,

Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Bonner,	Hamilton,	Maxwell,	Sherman,
Boris,	Heavey,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Brenninger,	Henzel,	Mihm,	Snare,
Buchanan,	Holliday,	Miller, B. Z.,	Snider,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irvls,	Monroe,	Stewart,
Cioffi,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, F. R.,	Murray, H. P.,	Thompson,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Trusio,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kee,	Needham,	Varnier,
Donaldson,	Keiser,	O'Dell,	Verona,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wall,
Down,	Kessler,	O'Donnell, J. P.,	Walsh,
Edwards,	Knecht,	Odorisio,	Wargo,
Ellberg,	Kooker,	O'Neil,	Weidner,
Eshback,	Korns,	Parlante,	Wescott,
Eshleman,	Kovolenko,	Pashley,	Wheeler,
Farabaugh,	Kubitsky,	Perry, H. H.,	Whittaker,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polen,	Willard,
Floyd,	Leonard,	Prendergast,	Willaredt,
Flynn,	Limper,	Price,	Wilt,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Fulmer,	Lutty,	Renwick,	Yetter,
Galley,	McCandless,	Rigby,	Zimmerman,
Gallagher,	McCann,	Riley,	Andrews,
Garlock,	McCormack,	Rovansek,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Capano,	Kornick,	Petrosky,
Auker,	Cooper,	Light,	Rudisill,
Boles,	Dennis,	McKeever,	Stank,
Bowman,	Ewing,	Moran,	Stone,
Branca,	Frascella,	Murray, P. G.,	Stroup,
Breth,	Helm,	Nelson,	Ujobal,
Brown,	Hocker,	Ogilvie,	Walsh,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2430, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents to exclude certain repossessions following defaults in purchase obligations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Royer,
Anderson,	George,	McInroy,	Sakulsky,
Arlene,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,

Bonner,	Hamilton,	Maxwell,	Sherman,
Boris,	Heavey,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Brenninger,	Henzel,	Mihm,	Snare,
Buchanan,	Holliday,	Miller, B. Z.,	Snider,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irvls,	Monroe,	Stewart,
Cioffi,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, F. R.,	Murray, H. P.,	Thompson,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Trusio,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kee,	Needham,	Varnier,
Donaldson,	Keiser,	O'Dell,	Verona,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wall,
Down,	Kessler,	O'Donnell, J. P.,	Walsh,
Edwards,	Knecht,	Odorisio,	Wargo,
Ellberg,	Kooker,	O'Neil,	Weidner,
Eshback,	Korns,	Parlante,	Wescott,
Eshleman,	Kovolenko,	Pashley,	Wheeler,
Farabaugh,	Kubitsky,	Perry, H. H.,	Whittaker,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polen,	Willard,
Floyd,	Leonard,	Prendergast,	Willaredt,
Flynn,	Limper,	Price,	Wilt,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Fulmer,	Lutty,	Renwick,	Yetter,
Galley,	McCandless,	Rigby,	Zimmerman,
Gallagher,	McCann,	Riley,	Andrews,
Garlock,	McCormack,	Rovansek,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Capano,	Kornick,	Petrosky,
Auker,	Cooper,	Light,	Rudisill,
Boles,	Dennis,	McKeever,	Stank,
Bowman,	Ewing,	Moran,	Stone,
Branca,	Frascella,	Murray, P. G.,	Stroup,
Breth,	Helm,	Nelson,	Ujobal,
Brown,	Hocker,	Ogilvie,	Walsh,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2431, entitled:

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78) further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Agnew,	Gelfand,	McDonald,	Royer,
Anderson,	George,	McInroy,	Sakulsky,
Arlene,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Bonner,	Hamilton,	Maxwell,	Sherman,
Boris,	Heavey,	Meholchick,	Shupnik,

Bower,	Heffner,	Merry,	Silverman,
Brenninger,	Henzel,	Mihm,	Snare,
Buchanan,	Holliday,	Miller, B. Z.,	Snider,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irviss,	Monroe,	Stewart,
Cioffi,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jenkins,	Mullen,	Stoner,
Comer,	Jim,	Munley,	Strausser,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.,	Sullivan,
Curwood,	Johnson, R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, F. R.,	Murray, H. P.,	Thompson,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Trusio,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kee,	Needham,	Varnor,
Donaldson,	Keiser,	O'Dell,	Verona,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Wall,
Down,	Kessler,	O'Donnell, J. P.,	Wargo,
Edwards,	Knecht,	Odorisio,	Weidner,
Elberg,	Kooker,	O'Neill,	Welsh,
Eshback,	Korns,	Parlante,	Wescott,
Eshleman,	Kovolenko,	Pashley,	Wheeler,
Farabaugh,	Kubitsky,	Perry, H. H.,	Whittaker,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fineman,	Lee, K. B.,	Polen,	Willard,
Floyd,	Leonard,	Prendergast,	Willaredt,
Flynn,	Limper,	Price,	Wilt,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Lulgard,	Reidenbach,	Yatron,
Fulmer,	Lutty,	Renwick,	Yetter,
Galley,	McCandless,	Rigby,	Zimmerman,
Gallagher,	McCann,	Riley,	Andrews,
Garlock,	McCormack,	Rovansek,	Speaker

NAYS—0

NOT VOTING—29

Ashton,	Capano,	Kornick,	Petrosky,
Auker,	Cooper,	Light,	Rudisill,
Boles,	Dennis,	McKeever,	Stank,
Bowman,	Ewing,	Moran,	Stone,
Branca,	Frascella,	Murray, P. G.,	Stroup,
Breth,	Helm,	Nelson,	Ujobal,
Brown,	Hocker,	Ogilvie,	Walsh,
			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 163, 1179 and 2123.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, November 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 163, Printer's No. 1766, entitled "An Act amending the act of May 28, 1937 (P. L. 1053) entitled 'Public Utility Law' excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1179, Printer's No. 379, entitled "An Act amending the act of May 27, 1949 (P. L. 1903) entitled 'An act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth' including the Pennsylvania Air National Guard with the provisions of this act."

DAVID L. LAWRENCE.

November 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2133, Printer's No. 1065, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation."

DAVID L. LAWRENCE.

STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, if I may, I would like to have permission of the House to clear up the situation for next week.

The SPEAKER. The Chair with great joy recognizes the Majority Leader for the purpose of clearing up the situation for next week because that is what I have been waiting several days to hear done, and I shall weigh every word he says.

Mr. McCANN. Mr. Speaker, early today in this session the Chairman of the Committee on Appropriations presented the Conference Committee reports for printing. Arrangements have been made with the Printer and those reports will probably arrive here no later than 2:00 o'clock this afternoon.

It is the intention in this House today to adopt those Conference Committee reports, and the Senate would be in session later in the day to act on those Conference reports.

In addition to that, Mr. Speaker, last night Senator Berger and I again discussed this hotel situation for next week. The schedule has been set as Monday to Friday, inclusive, for the operation of the Senate, and is going to be set for Monday to Friday, inclusive, for the operation of the House.

I, of course, have asked the question ten times whether Friday then would be the date for sine die adjournment. I have not gotten the answer that it would be, but in lieu of that answer I have received the following type of answer: That next week we would finish all of the legislative work, that sine die adjournment would not be the answer on Friday, but evidently there will be some type of a recess. How long, I do not know. I, of course, favor the adoption of a sine die resolution. Evidently I

do not have an affirmative answer regarding that sine die resolution.

You will recall my heated discussion yesterday about the Penn Harris Hotel here in the city. Of course, it became much worse last night. Some of these people who have lived there as long as fifteen years, Republican Members of this House, sixteen years and eighteen years for some Senators, were informed last night that they do not have hotel space. I, of course, yesterday was very angry about this, and I can assure you I do not feel a darned bit better about it today.

It would be an entirely different situation to present something to a group of people in which you were falsifying the situation, or upon which you had not previously planned. As I stated yesterday, Senator Berger and I met with the hotel people. There was only one problem involved at that time, and that was the problem of the hotel suites in the Penn Harris Hotel. Since that time evidently the convention has gotten much larger—I assume it has—for they have cancelled out the hotel rooms of many Members to whom I talked in the hotel last night. My phone kept ringing steadily until approximately 1:00 o'clock this morning on the situation.

This morning we had another conference, and then we met with Senator Berger again. Mr. Speaker, this is what we are asking: You are not going to have hotel space at the Penn Harris; the House and the Senate will be in Session when there is not hotel space at the Penn Harris. We ask that for those two nights—to some of us, three nights—of this one week you plan to find a motel room, or, if you come to Harrisburg on Sunday, a room for Sunday, Monday and Tuesday. The Penn Harris says it will take care of their regular customers on Wednesday, Thursday and Friday.

The other two hotels, I am certainly proud to say, are taking care of their people; that is, the Harrisburger and the New Governor. If you stay regularly at either of those hotels, the hotel management has told us they will take care of Representatives and Senators who are residents of those two hotels.

Now, Mr. Speaker, with this situation there is nothing that Senator Berger, I, or anyone else can do as far as House or Senate Members who stay at the Penn Harris are concerned, except to say to you that in this particular situation we are asking you now for your complete cooperation. While you are here in the city, we ask that you plan where you may stay those two nights if you are a Monday-Tuesday night person, or three nights if you come in on Sunday.

There is one item that will definitely have to be discussed here sometime today. We hope to have a conference with Mr. Johnson, Mr. Tompkins, the Speaker and the Chief Clerk, different ones here, as to the plans for Monday night, perhaps changing that to another date in the week. Whatever date is decided upon will be agreeable with me. Mr. Bower, in talking to me, made some very sensible suggestions regarding the safety and welfare of our Members and I believe they should be considered.

Therefore, Mr. Speaker, all I can say is that we will be here. It is our plan to complete by Friday all of the work of the House. The Senate has just reported 100 bills out of the Appropriations Committee. They are moving out in the Senate, and everything that has been agreed to is as scheduled, as to time.

Mr. Speaker, the last day for House bills on the House Calendar—bills that are to go any place this Session—is Tuesday. If it is past that date, you know yourself it is just there to ride the wave and is not going too far, because it does not take long to figure out the legislative days up to a certain point—provided we do not come back sometime late, and act on other bills. But I assume we will come to the completion of the legislative matters of this Session on the following Friday and that the bulk of the work of the calendar will be cleaned up.

Now there are several conference committees that are yet out. I ask all the conference committees appointed, and those that will be appointed today to act promptly. The Senate is acting very quickly. They stated they will act immediately where they have to on some of them, and make arrangements for the two conference committees to meet either Monday, Tuesday or Wednesday of next week. In some cases the conference committees will be appointed in name prior to official action by motions, in order to finish it up.

With that, Mr. Speaker, I feel a little better today, except I can say—and did to the hotel management last night—that I think the way they operate that hotel stinks, and I told them so personally.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REIDENBACH asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

INTERROGATION

Mr. ISAACS asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. Speaker, I was in a meeting and I did not hear all that the Majority Leader said, as to the Penn Harris Hotel in particular. If I stayed in the Penn Harris Hotel without taking up any more room than would now ensue, would the Majority Leader object?

Mr. McCANN. Mr. Speaker, I have no objection. I also stay at the hotel. What I stated was that Senator Berger and I met with the managements of the three hotels three weeks before in setting up our schedule. In fact, we have been doing that continually; I know they have conventions after you go into the September period. At that time they informed us they would take care of the Members who stayed there regularly, but did not have suites for the week of November 16; that is, Monday and Tuesday. But as I stated here yesterday on the floor, I got a call from the management of the hotel to inform me that they were cancelling out the rooms. I think if you had checked with some of your Members last night. You would have found their tempers were also a little, shall we say, "irritated". They were told the previous night, "Don't worry, your room is there." Then when they checked last night, they were told. "We are sorry but you will not have a room."

All I ask is the cooperation of the Members in securing motel space for two nights. The hotel will take care of you on Wednesday. I have no objections if you stay there—I hope you do, sir. More power to you.

Mr. ISAACS. Mr. Speaker, this is not criticizing the Majority Leader as to the tempers of some people. I

think my temper, generally speaking, is bad anyway. I thank the Majority Leader.

STATEMENT BY SPEAKER

The SPEAKER. The Chair, while the committee is out, might presume on the patience of the House.

We noted that the Majority Leader said there might not be a sine die resolution, and that he was against that idea. Well, 36 years ago it happened that the person who is now Speaker began campaigning against the idea of legislative sine die resolutions. He said back there in those days that a legislative body that committed suicide, he thought, was crazy. A Legislature in session all of the time would be an abomination. A Legislature in being, the Chair has always held has one of the basic presumptions of laying the foundation of our government. If there is any hope that there will not be a sine die resolution, we can mark that battle of 36 years as finished.

On our agenda, for realization, I think, about 1980, is a Commonwealth Legislative Guest House, which will be at the disposal of Members of this House and their friends, so that there is not this hassle about a room. I do not think you will get that soon, but I am putting it on my schedule for 1980, and I hope you will live long enough to help us get it.

Mr. McCANN. Mr. Speaker, at this time all of the committees have completed their actions. We would like to have reports of Committees and then a break for lunch.

Mr. Speaker, I ask that the Members do not leave here until an agreement is reached as to the length of the recess. With the approval of the Minority Leader I am going to ask for a recess of one hour, and ask that we start the House promptly one hour following the recess.

REPORTS FROM COMMITTEES

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House; providing for the repair of the Pechin House; authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society; and making an appropriation.

Mr. LUTTY from the Committee on State Government, reported as amended House Bill No. 2293, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in that borough.

Mr. MERRY from the Committee on Liquor Control, reported as committed, House Bill No. 1219, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting the issuance or transfer of hotel, restaurant and club liquor licenses, and malt and brewed beverage retail licenses to locations within three hundred feet of any church, hospital, charitable institution, school or public playground.

Mr. SHERMAN from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624)

entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

Mr. GELFAND from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

Mr. GELFAND from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

Mr. McCORMACK from the Committee on Appropriations, reported as amended, Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of the General Assembly, changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases; regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default.

Mr. AGNEW from the Committee on Judiciary, reported as committed, Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 124.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1219, entitled:

An Act amending the "Liquor Code," approved April 12,

1951 (P. L. 90), prohibiting the issuance or transfer of hotel, restaurant and club liquor licenses, and malt and brewed beverage retail licenses to locations within three hundred feet of any church, hospital, charitable institution, school or public playground.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 804.

An Act repealing Section 5 act of June 13, 1837 (P. L. 551) entitled "An act relating to roads highways and bridges" abolishing certain requirements concerning breadth of roads.

HOUSE BILL No. 2429.

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, before all of the members leave, I should like to ask that Mr. Johnson, Mr. Bower, Mr. Tompkins, and Mr. Lopresti, the Chief Clerk, the Speaker and I meet right here after we recess.

RECESS

The SPEAKER. You have heard the request of the Majority Leader for a brief conference of various persons.

Mr. McCANN. Mr. Speaker, following the recess controversial bills will come up in order.

The SPEAKER. The Chair now declares a recess of one hour.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

RESOLUTION

CONGRATULATIONS

Messrs. R. P. JOHNSON, BRENNINGER, WILLAREDT, T. H. W. JONES and Mrs. HENZEL asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, November 11, 1959.

The top golfer in the General Assembly, Morton H. Fetterolf, Jr., has had another honor bestowed upon him. The gentleman from Montgomery County who defeated all comers at the annual General Assembly Golf Tournament at the West Shore Country Club in August was elected president of the Philadelphia Golf Association on November 10, 1959. The one-time golf writer of the defunct Evening Ledger was elevated to this position from the vice presidency where he served for the past year.

This association which encompasses most of the golf clubs in the Philadelphia area couldn't have selected a better man. We here in the House of Representatives, know of the great job that Morton has done in representing his constituents and the people of Pennsylvania. We are sure that he will do the same in his new position; therefore be it

Resolved, That the House of Representatives congratulate Morton H. Fetterolf, Jr., not only for winning the General Assembly golf trophy but upon his election to the presidency of the Philadelphia Golf Association; and be it further

Resolved, That a copy of this resolution be presented to Mr. Fetterolf.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair is of the opinion that a

resolution of this import should not be adopted without at least a trifle of enlightening debate.

The Chair is of the opinion that the House should be informed as to whether this gentleman deserves any credit for licking the golfers in the House because perhaps they were all duffers. Perhaps they did not know anything about golf, and he gets this honor by default.

If he deserves this honor, of course, the House should confer it.

Has anybody anything to say about this resolution?

Mr. STECKEL. Mr. Speaker, I think this is indeed a signal honor that a Republican is elected to something in Philadelphia.

The SPEAKER. The Chair will admit that that is an argument. Are there any further observations?

Mr. SCHWARTZ. Mr. Speaker, I was on the golf committee—

The SPEAKER. That is a confession.

Mr. SCHWARTZ. That is a confession because I was only "on" it. I will explain what that means.

Mr. Fetterolf has been playing golf, to my knowledge, since he was about seven or eight years of age. In fact, the sticks that he uses represent how long he has been playing golf.

He rang a system in on us in this tournament called the "Calloway System." It was necessary because we did not know whether we could trust some of the Members who were going to play golf so far as turning in handicaps was concerned. But we did have an experience with Mr. Fetterolf last year. He won the tournament, as I remember, the year before and he was very fortunate in this particular play this Session because his playing was a little off. But, under this wonderful system that we used, there is no question that Mr. Fetterolf won the golf tournament. I attribute it to the fact that being a Republican from Montgomery County he has had a great deal of time to devote to the wonderful sport.

I would say that he is the best golfer, by far, in this House, and he is entitled to the honor that has been bestowed upon him by the resolution. He is a number one golfer in our House of Representatives, and I think we should unanimously pass the resolution, especially in view of the fact that he has now been made the President of the Golf Association.

Mr. McCORMACK. Mr. Speaker, to further amplify your remarks with respect to this resolution, I happened to put my name down as one of the contestants in this contest at West Shore that day, and recalling the story that came out a week or so ago about President Eisenhower at Rheims, it seems to me that I and a lot of the other Members here who chose to do battle with the champion, Mort Fetterolf, were on the golf course, all right, but we did not play golf either.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

The SPEAKER. The ayes have it and Fetterolf wins by a stroke.

The Chair recognizes the beloved champion, Mr. Fetterolf.

Mr. FETTERHOLF. Mr. Speaker, I take this signal honor with great humility.

I should also like to report that it was called to my attention and part of the wording of the story which appears this morning in a Philadelphia newspaper relative to my election to the Presidency of the Philadelphia Golf Association identifies me as being a one-time golf writer for the defunct Evening Public Ledger. I want to assure those of you who are in doubt that I did not contribute to the bankruptcy of the Evening Ledger.

RESOLUTION

CONGRATULATIONS

Mrs. B. Z. MILLER, Mrs. KERNAGHAN, Mrs. DON-AHUE, Mrs. HENZEL and Mrs. MARKLEY asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, November 11, 1959.

One of the distaff members of this House has recently been highly honored by her election as a member of the Hall of Fame of the Young Republicans of Pennsylvania.

Established in 1958, the Young Republican Hall of Fame honors prominent citizens of this Commonwealth who served in local and State Young Republican affairs earlier in their careers.

Mrs. Kooker, the first woman to be elected to the Hall of Fame by the Young Republicans began her political career in the first organized group of Young Republicans in Bucks County.

For many years prior to her election in 1954 as a member of the General Assembly, Mrs. Kooker held major offices in the Republican Women's Council, the Bucks County Republican Committee and in religious, civic and fraternal groups. In 1957 she was awarded a citation from the Quakertown Business and Professional Women's Club as the Quakertown "outstanding business woman."

A native of Harrisburg where she attended the public schools, she has resided in Quakertown, Bucks County for many years and is presently associated with her husband in the Kooker furniture store; therefore be it

Resolved, That the members of the House of Representatives, both individually and collectively, congratulate and commend Mrs. Kooker upon her election to the Hall of Fame of the Young Republicans of Pennsylvania and upon her many contributions and achievements to the better welfare of this Commonwealth and its citizens with the knowledge that she will continue to act for the people of this Commonwealth with distinction and serve as an inspiration for all of us; and be it further

Resolved, That a copy of this resolution be presented to Representative Kooker and copies sent to the Young Republican Club of Bucks County and to the Young Republican State headquarters in Harrisburg.

The SPEAKER. The Chair recognizes the lady from Bucks, Mrs. Kooker.

Mrs. KOOKER. Mr. Speaker, I very much appreciate the honor that has been conferred upon me by the Young Republicans of Pennsylvania. When I look over the delegation of Young Republicans who are Representatives on this side of the House, I hope they are the product of some of the effort, over the years, that we the older Members have accomplished through the Young Republican organization of Pennsylvania.

It is nice to have some of these honors, conferred upon you while you are still living, and I appreciate the honor and also this resolution.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township Northampton County.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 1943 (P. L. 571) specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township Northampton County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily while the Chair clears the desk.

Mr. LOPRESTI IN THE CHAIR

RESOLUTION

Mr. GARLOCK offered a resolution which was filed with the Clerk under the Rules.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 660.

An Act amending the act of June 1, 1899 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 8, by striking out after the word "companies" the words "and municipalities engaged in gas business for a limited time" and inserting in lieu thereof the words "and municipalities engaged in gas business;" Amend Section 1, page 4, line 13, by removing bracket before the word "December" and line 20 by removing bracket after the words "thirty-first"; page 5, by removing bracket before the word "one" in line 1; line 3, removing brackets before and after the word "and"; line 4, by inserting after the words "fifty-eight" the words "December thirty-first one thousand nine hundred fifty-nine and December thirty-first one thousand nine hundred sixty"; line 6, by striking out bracket after the word "mills" and line 6 by striking out after the word "mills" the words "and for each year"; page 6, line 6, by striking out after the word "of" the word "February" and inserting in lieu thereof the word "April"; page 7, by removing brackets before and after the word "and" at the end of line 17; line 19, by inserting after the word "municipality" the words "except that gross receipts from other than sales of gas shall be exempt from the tax"; page 8, line 2 by striking out all of line 2 and part of line 3 as follows: "except that gross receipts from other than sales of gas shall be exempt from the tax"; line 3, by striking out the following; "(of) that (of)" and inserting in lieu thereof the word "that"; line 4, by striking out after the word "receipts" the words "(as) (AS)"; line 5, by striking out after the word "done" the words "(outside) inside (outside)" and inserting in lieu thereof the word "inside"; line 6, by inserting after the word "Municipality" the words "owning or" and line 6, by inserting after the word "operating" the words "the public utility or furnishing"; Section 2, page 8, line 10, by inserting at the beginning of the line the words "from gas sales" and by striking out on line 10 after the word "sales" the words "only during the period" and inserting in lieu thereof the words "beginning January 1, 1960"; line 11, by striking out after the figures "1960" the words "and ending May 31 1961" and inserting in lieu thereof the words "and thereafter and as to gross receipts received from other sources"; line 14, by inserting after the figures "1959" the words "and subsequent years"; line 14, by striking out after the word "years" the words "and subsequent years."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 998.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by defining distressed school districts creating and authorizing a special board of control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 5, by striking out after the word "districts" the following: "authorizing the Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "creating and authorizing a special board of control"; page 2, line 1, by striking out after the letters "tion" the words "or his designated representative"; Section 1, page 2, line 12, by striking out after the word "the" the following: "superintendent of public instruction or his designated representative" and inserting in lieu thereof the words: "special board of control provided for in Section 692 of this Act"; line 14, by striking out after the word "or" the word "his" and inserting in lieu thereof the word "its"; page 3, line 4, by striking out after the word "area" the words "of it"; Section 2, page 4, line 20, by striking out after the word "of" the words and figures "thirty (30)" and inserting in lieu thereof the word and figures "ninety (90)"; page 5, line 5, by striking out after the word "of" the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "ninety (90)"; line 9, by inserting after the word "bonds" the following words: "or in payment of rentals due any authority"; line 11, by striking out after the word "time" the word "for" and inserting in lieu thereof the words "to make"; page 6, line 1, by striking out after the word and figures "Section 692" the words "Control by the Superintendent of Public Instruction" and inserting in lieu thereof the words "special board of control petition appointments"; line 9, by inserting after the word "shall" the following: "petition the court of common pleas of the county in which such district or the largest part in area is located to appoint two citizens who shall be qualified electors and taxpayers in the county in which the school district is located School directors and employes of any such school district shall be ineligible for appointment by the court within ten days after the presentation of said petition the court shall make the appointments herein provided and the appointees together with the superintendent of public instruction or his designated representative shall constitute a special board of control vacancies occurring because of death or resignation of appointed members of the board shall be filled by the court the special board of control shall"; page 7, line 8, by striking out after the word "to" the words "liquidate its debts and"; line 9, by inserting after the word "district" the following: "the costs of the court proceedings shall be paid by the Department of Public Instruction"; line 12, by striking out after the word "of" the words "Superintendent of Public Instruction" and inserting in lieu thereof the words

"special Board of Control"; line 13, by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control"; line 15, by striking out after the word "district" the word "he" and inserting in lieu thereof the word "it"; line 20, by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control"; page 8, line 1, by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative," and inserting in lieu thereof the words "Special Board of Control"; line 4, by inserting after the letters "tors" the words and figures "within sixty (60) days"; line 5, by striking out after the word "as" the words "he or his representative" and inserting in lieu thereof the word "it"; line 7, by striking out at the beginning of the line the words "Superintendent of Public Instruction or his representative and inserting in lieu thereof the words "Special Board of Control"; line 9, by inserting after the word "To" the words "cancel or to"; line 11, by inserting after the word "such" the words "cancellation or" and by striking out after the word "will" the word "affect" and inserting in lieu thereof the word "effect"; line 18, by inserting after the word "districts" the following: "the superseded tax collector shall not be entitled to any commissions on the taxes collected by the special collector of delinquent taxes"; page 9, line 4, by striking out after the word "a" the word "certified" and inserting in lieu thereof the words "competent independent"; by inserting after line 5 the following:

"(5) To dispense with the services of such non-professional employees as in his judgment are not actually needed for the economical operation of the school system

"(6) To suspend in accordance with the provisions of section 1124 of the act to which this is an amendment such number of professional and temporary professional employees as may be necessary to maintain a pupil-teacher ratio of not less than twenty-six pupils per teacher for the combined elementary and secondary school enrollments"; page 10, line 1 by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control"; line 4, by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative", and inserting in lieu thereof the words "Special Board of Control"; line 7, by striking out after the word "district" the words "during a period not to exceed five years"; line 9, by striking out after the word "the" the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control"; line 11, by striking out after the word "the" the word "proper" and by inserting after the word "court" the words "of common pleas of the county in which such district or the largest part in area is located"; line 20 by inserting after the word "district" the words "may not resign their offices and"; page 11, line 4, by striking out after the word "area" the words "of it"; line 5, by striking out after the word "the" where it appears the third time the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control"; line 7 by striking out after the word "by" the word "him" and inserting in lieu thereof the word "it"; line 8, by striking out after the word "the" where it appears the second time the words "Superintendent of Public Instruction or his designated representative" and inserting in lieu thereof the words "Special Board of Control."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein,	Machmer,	Scarcell,
Bell,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Bonner,	Guthrie,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Brenninger,	Holliday,	Miller, B. Z.,	Snare,
Buchanan,	Holt,	Miller, H. G.,	Snider,
Burns,	Horst,	Mills,	Steckel,
Capitolo,	Irvis,	Monroe,	Stevens,
Cianfrani,	Isaacs,	Muldowney,	Stewart,
Cioffi,	Jenkins,	Mullen,	Stimmel,
Clarke,	Jim,	Munley,	Stoner,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Crossin,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Taylor,
Davis,	Jones, F. R.,	Murray, J. J.,	Thompson,
Dengler,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusilo,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varnier,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Wargo,
Edwards,	Kooker,	Odorisio,	Weidner,
Ellberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neil,	Wescott,
Eshleman,	Kubitsky,	Parlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reldenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,

Speaker

NAYS—0

NOT VOTING—24

Ashton,	Cooper,	Kornick,	Stank,
Auker,	Dennis,	McKeever,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujohal,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1640.

An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time

specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by striking out after the word "case" the following: "from and after the effective date of this act any such real estate tax water rent or sewer rent claim shall be reinstated and shall reattach as a lien or judgment against the property against which any such tax or claim was originally assessed or judgment was entered and any such lien or judgment shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived or collected as other claims or judgments upon real estate tax water rent or sewer rent claims are revived and collected provided that" page 5, by inserting after the word "purchaser" the words "before such claim is filed or amended."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein,	Machmer,	Scarcell,
Bell,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Bonner,	Guthrie,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Brenninger,	Holliday,	Miller, B. Z.,	Snare,
Buchanan,	Holt,	Miller, H. G.,	Snider,
Burns,	Horst,	Mills,	Steckel,
Capitolo,	Irlis,	Monroe,	Stevens,
Cianfrani,	Isaacs,	Muldowney,	Stewart,
Cioffi,	Jenkins,	Mullen,	Stimmel,
Clarke,	Jim,	Munley,	Stoner,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Crossin,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, F. R.,	Murray, H. P.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, J. J.,	Thompson,
Dengler,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusio,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Keiser,	Nelson,	Varnier,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Wargo,
Edwards,	Kooker,	Odoriso,	Weldner,
Elberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neill,	Wescott,
Eshleman,	Kubitsky,	Orlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A. D. Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,

Speaker

NAYS—0

NOT VOTING—24

Ashton,
Auker,
Boies,
Breth,
Brown,
Capano,

Cooper,
Dennis,
Ewing,
Frascella,
Helm,
Hocker,

Kornick,
McKeever,
Moran,
Murray, P. G.,
Petrosky,
Rudisill,

Stank,
Stone,
Stroup,
Ujobal,
Walsh,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2028.

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, by inserting after "Chapter II" on line 13 the following: "Fishing Regulations Applying to Inland Waters"; page 7, line 3, by striking out after the word "of" the words and figures "one hundred dollars (\$100)" and inserting in lieu thereof the following: "twenty-five dollars (\$25)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Garlock,	McCormack,	Riley,
Andrews,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein,	Machmer,	Scarcell,
Bell,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Bonner,	Guthrie,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Snare,
Branca,	Henzel,	Mihm,	Snider,
Brenninger,	Holliday,	Miller, B. Z.,	Shupnik,
Buchanan,	Holt,	Miller, H. G.,	Silverman,
Burns,	Horst,	Mills,	Steckel,
Capitolo,	Irlis,	Monroe,	Stevens,
Cianfrani,	Isaacs,	Muldowney,	Stewart,
Cioffi,	Jenkins,	Mullen,	Stimmel,
Clarke,	Jim,	Munley,	Stoner,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Crossin,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, F. R.,	Murray, H. P.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, J. J.,	Thompson,

Dengler,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusio,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varner,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.	Wargo,
Edwards,	Kooker,	Odorisio,	Weidner,
Eilberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neil,	Wescott,
Eshleman,	Kubitsky,	Parlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Anderson,

Speaker

NAYS—0

NOT VOTING—24

Ashton,	Cooper,	Kornick,	Stank,
Auker,	Dennis,	McKeever,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobai,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, line 4, by striking out after the word "license" the following: "nor shall any such license be transferable between the time of issuance or transfer of the license and the approval of the completed alterations or construction by the board except with the approval of the board for good cause shown the board may require that all such alterations or

construction be completed within six months from the time of issuance or transfer of the license" and inserting in lieu thereof the following: "and is satisfied that the establishment is a restaurant hotel or club as defined by this act the board may require that all such alterations or construction or conformity to definition be completed within six months from the time of issuance or transfer of the license failure to comply with these requirements shall be considered cause for revocation of the license no such license shall be transferable between the time of issuance or transfer of the license and the approval of the completed alterations or construction by the board and full compliance by the licensee with the requirements of this act except in the case of death of the licensee prior to full compliance with all of the aforementioned requirements in which event the license may be transferred by the board as provided in section 468 of this act for transfer of the license in the case of death of the licensee."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein,	Machmer,	Scarcelli,
Bell,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Bonner,	Guthrie,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Brenninger,	Holliday,	Miller, B. Z.,	Snare,
Buchanan,	Holt,	Miller, H. G.,	Snider,
Burns,	Horst,	Mills,	Steckel,
Capitolo,	Irvlis,	Monroe,	Stevens,
Cianfrani,	Isaacs,	Muldowney,	Stewart,
Cioffi,	Jenkins,	Mullen,	Stimmel,
Clarke,	Jim,	Munley,	Stoner,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Crossin,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, F. R.,	Murray, H. P.	Taylor,
Davis,	Jones, T. H. W.,	Murray, J. J.,	Thompson,
Dengler,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusio,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varner,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Wargo,
Edwards,	Kooker,	Odorisio,	Weidner,
Eilberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neil,	Wescott,
Eshleman,	Kubitsky,	Parlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,

Speaker

NAYS—0

NOT VOTING—24

Ashton,	Cooper,	Kornick,	Stank,
Auker,	Dennis,	McKeever,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobai,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2302.

An Act amending the act of April 28, 1937 (P. L. 417), entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" further regulating cash sales of milk on farms.

With the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 9, by striking out after the word "consumers" the word "neither" and inserting in lieu thereof the words "do not" and by striking out after the word "exceed" the following: "a total of three thousand quarts in any one month nor."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN: Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein	Machmer,	Scarcelli,
Bell,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Bonner,	Guthrie,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Brenninger,	Holliday,	Miller, B. Z.,	Snare,
Buchanan,	Holt,	Miller, H. G.,	Snider,
Burns,	Horst,	Mills,	Steckel,
Capitolo,	Irvis,	Monroe,	Stevens,
Cianfrani,	Isaacs,	Muldowney,	Stewart,
Cioffi,	Jenkins,	Mullen,	Stimmel,
Clarke,	Jim,	Munley,	Stoner,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Crossin,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, F. R.,	Murray, H. P.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, J. J.,	Thompson,
Dengler,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusio,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Keiser,	Nelson,	Varner,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.	Wargo,
Edwards,	Kooker,	Odorisio,	Weidner,
Eilberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neil,	Wescott,
Eshleman,	Kubitsky,	Parlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A.D., Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Wynd,
Fox,	Lopresti,	Pursley,	Yatron,
Frank,	Luigard,	Reibman,	Yetter,
Fulmer,	Lutty,	Reidenbach,	Zimmerman,
Galley,	McCandless,	Renwick,	Andrews,
Gallagher,	McCann,	Rigby,	Speaker

NAYS—1

Worley,

NOT VOTING—24

Ashton,	Cooper,	Kornick,	Stank,
Auker,	Dennis,	McKeever,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobai,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk conform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2322.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for additional payments to certain school districts.

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by striking out after the figures "1961" the words and figures "seventy-five per centum (75%)" and inserting in lieu thereof the words and figures "one hundred per centum (100%)"; line 7 by striking out after the figures "1958" the following: "for the school year 1960-1961 where a school district suffers a loss in total State subsidies under the aforementioned sections by virtue of increased market valuations as certified to the Superintendent of Public Instruction by the State Tax Equalization Board the Commonwealth shall pay during the school year 1961-1962 fifty per centum (50%) of such loss computed by subtracting the amount to which the school district is entitled under the aforementioned sections from the amount to which the school district would be entitled on the basis of the market valuations certified to the Superintendent of Public Instruction by the State Tax Equalization Board in the year 1958 and for the school year 1961-1962 where a school district suffers a loss in total State subsidies under the aforementioned sections by virtue of increased market valuations as certified to the Superintendent of Public Instruction by the State Tax Equalization Board the Commonwealth shall pay during the school year 1962-1963 twenty-five per centum (25%) of such loss computed by subtracting the amount to which the school district is entitled under the aforementioned sections from the amount to which the school district would be entitled on the basis of the market valuations certified to the Superintendent of Public Instruction by the State Tax Equalization Board in the year 1958."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Sakulsky,
Barton,	Goldstein,	McLaughlin,	Scarcelli,
Bell,	Goodrich,	Machmer,	Schaaf,
Blair,	Gramlich,	Magee,	Schuster,
Bonner,	Guthrie,	Mahan,	Schwartz,
Boris,	Hamilton,	Markley,	Seltzer,
Bower,	Heavey,	Maxwell,	Sherman,
Bowman,	Heffner,	Meholchick,	Shupnik,
Branca,	Henzel,	Merry,	Silverman,
Brenninger,	Holliday,	Mithm,	Snare,
Buchanan,	Holt,	Miller, B. Z.,	Snider,
Burns,	Horst,	Miller, H. G.,	Steckel,
Capitolo,	Irviss,	Mills,	Stevens,
Cianfrani,	Isaacs,	Monroe,	Stewart,
Cioffi,	Jenkins,	Muldowney,	Stimmel,
Clarke,	Jim,	Mullen,	Stoner,
Comer,	Johnson, A. W.,	Munley,	Strausser,
Crossin,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Curwood,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dengler,	Jump,	Murray, J. J.,	Tompkins,
Dennison,	Kamyk,	Musto,	Trusio,
Devlin,	Kee,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Wargo,
Edwards,	Kooker,	O'Donnell, J. P.,	Weidner,
Ellberg,	Korns,	Odorisio,	Welsh,
Eshback,	Kovolenko,	Ogilvie,	Wescott,
Eshleman,	Kubitsky,	O'Neil,	Wheeler,
Farabaugh,	Lamb,	Parlante,	Whittaker,
Fetterolf,	Lee, A. M.,	Pashley,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Perry, H. H.,	Williams, E. S.,
Fineman,	Leonard,	Perry, P. E.,	Willard,
Floyd,	Light,	Polaski,	Willardet,

Flynn,
Foerster,
Fox,
Frank,
Fulmer,
Galley,
Gallagher,

Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,

Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rigby,

Wilt,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—23

Ashton,
Auker,
Boles,
Breth,
Brown,
Capano,

Cooper,
Dennis,
Ewing,
Frascella,
Helm,
Hocker,

Kornick,
Moran,
Murray, P. G.,
Petrosky,
Rudisill,
Stank,

Stone,
Stroup,
Ujobal,
Walsh,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled:

HOUSE BILL No. 2361.

An Act amending the act of June 1, 1959 (Act No. 77) entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" further providing for disability allowances in the event of disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, by inserting after line 3, the following: "further providing for disability allowances in the event of disability annuitant is able to engage in gainful occupation."

Section 1, page 2, line 1, by inserting after the figures "302" the following; "and subsection (4) of section 405"; line 3, by striking out after the figures "1959" the word "is" and inserting in lieu thereof the word "are"; and by inserting after line 11 the following: "Section 405 Disability allowances

* * *

"(4) Should a physician or physicians designated by the retirement board report and certify to the retirement board that a disability annuitant is no longer physically or mentally incapacitated for the performance of duty or that such disability annuitant is able to engage in a gainful occupation and should the retirement board concur in such report then the amount of the state annuity shall be discontinued or reduced to an amount that shall be not in excess of the amount by which the amount of the [last year's] mandated salary of the annuitant as a school employe to which he would have been entitled had he remained in school service exceeds his present earning capacity.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for its purposes for the reduction of the bonded indebtedness of the Commonwealth.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2218

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, Mrs. REIBMAN and Mr. TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing for the sale of borough owned electric light plants and the effect thereof.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2319

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. FILO, DEVLIN and DONALDSON.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL NO. 379.

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

Mr. McCANN. Mr. Speaker, I move that the House in-

sist upon its amendments nonconcurred in by the Senate to Senate Bill No. 379.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE RECEDES FROM NONCONCURRENCE

The Clerk of the Senate being introduced, informed that the Senate has receded from its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 1117.

An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township Northampton County Pennsylvania with the approval of the Governor.

With the information that the Senate has passed the same without amendment.

BILL INTRODUCED AND REFERRED

By Mrs. RIEBMAN, and Mr. GAILEY, Mrs HENZEL and Mr. BUCHANAN.

HOUSE BILL No. 2449.

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts, in order to reduce costs involved in financing through municipal authorities.

Referred to the Committee on Rules.

By Mr. FINEMAN.

HOUSE BILL No. 2450.

A Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; * * *" further providing for the time within which limited life insurance companies may be formed.

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. O'NEIL and GARLOCK.

RESOLUTION No. 128

In the House of Representatives, November 11, 1959.

In 1905, the General Assembly appropriated funds for and authorized the erection of buildings in the Lancaster County area for the education of indigent orphan boys of the Commonwealth of Pennsylvania.

In 1951, in addition to indigent orphans, the institution now known as the Thaddeus Stevens Trade School was

authorized to receive "other deserving boys" for education and training.

The General Assembly appropriates considerable funds for the operation of the institution and the education of boys and now requires for its use comprehensive factual information concerning the admission of students to said institution with respect to preferences afforded orphans and deserving boys and whether or not residents of Pennsylvania who are financially able to pay for an education are received into the institution which results in the turning away of needy orphans; therefore be it

Resolved, That the Joint State Government Commission be directed to study and investigate admission practices, procedures and standards employed by the Thaddeus Stevens Trade School and the effect thereof on the admission of orphan children; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL NO. 1238.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of commonpleas the judges of the orphans' court the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

Referred to the Committee on Rules.

SENATE RESOLUTION Serial No. 120.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

Mr. McCANN. Mr Speaker, I call up the report of the Committee of Conference on House Bill No. 623.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 623, entitled: "An Act amending the act of June 24 1939 (P L 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another."

JOHN T. VAN SANT,
WILLIAM Z. SCOTT,
MARTIN SILVERT,
(Committee on the part of the Senate.)

ALLEN M. GIBSON,
SAMUEL B. DENNISON,
CHARLES J. MILLS,

(Committee on the part of the House of Representatives.)

An Act amending the act of June 24 1939 (P L 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 24 1939 (P L 872) known as "The Penal Code" is amended by adding after section 414 a new section to read

Section 414.1 Malicious Use of Telephones Whoever telephones another person and addresses to or about such other person any lewd lascivious or indecent words or language or whoever anonymously telephones another person repeatedly for the purpose of annoying molesting or harassing such other person or his or her family shall be deemed guilty of the misdemeanor of being a disorderly person and upon conviction shall be fined in any sum not exceeding five hundred dollars (\$500) to which may be added imprisonment in the county jail not exceeding six months Provided that any offense committed by the use of a telephone as herein set out may be deemed to have been committed at either the place at which the telephone call or calls were made or at the place where the telephone call or calls were received

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovansek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Sakulsky,
Barton,	Goldstein,	McLaughlin,	Scarcelli,
Bell,	Goodrich,	Machmer,	Schaaf,
Blair,	Gramlich,	Magee,	Schuster,
Bonner,	Guthrie,	Mahan,	Schwartz,
Boris,	Hamilton,	Markley,	Seltzer,
Bower,	Heavey,	Maxwell,	Sherman,
Bowman,	Heffner,	Meholchick,	Shupnik,
Branca,	Henzel,	Merry,	Silverman,
Brenninger,	Holliday,	Mihm,	Snare,
Buchanan,	Holt,	Miller, B. Z.,	Snider,
Burns,	Horst,	Miller, H. G.,	Steckel,
Capitolo,	Irviss,	Mills,	Stevens,
Cianfrani,	Isaacs,	Monroe,	Stewart,
Cioffi,	Jenkins,	Muldowney,	Stimmel,
Clarke,	Jim,	Mullen,	Stoner,
Comer,	Johnson, A. W.,	Munley,	Strausser,
Crossin,	Johnson, R.,	Murphy, A. J., Jr.	Sullivan,
Curwood,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dengler,	Jump,	Murray, J. J.,	Tompkins,
Dennison,	Kamyk,	Musto,	Truslo,
Devlin,	Kee,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnar,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Wargo,
Edwards,	Kooker,	O'Donnell, J. P.,	Weldner,
Elberg,	Korns,	Odoristo,	Welsh,
Eshback,	Kovolenko,	Ogilvie,	Wescott,
Eshleman,	Kubitsky,	O'Neil,	Wheeler,
Farabaugh,	Lamb,	Parlante,	Whittaker,
Fetterolf,	Lee, A. M.,	Pashley,	Williams, A.D. Jr.,
Filo,	Lee, K. B.,	Perry, H. H.,	Williams, E. S.,
Fineman,	Leonard,	Perry, P. E.,	Willard,
Floyd,	Light,	Polaski,	Willaredt,
Flynn,	Limper,	Polen,	Wilt,
Foerster,	Lippincott,	Prendergast,	Worley,
Fox,	Lopresti,	Price,	Wynd,
Frank,	Luigard,	Pursley,	Yatron,
Fulmer,	Lutty,	Reibman,	Yetter,
Galley,	McCandless,	Reidenbach,	Zimmerman,
Gallagher,	McCann,	Renwick,	Andrews,
		Rigby,	Speaker

NAYS—0

NOT VOTING—23

Ashton,
Auker,
Boles,
Breth,
Brown,
Capano,

Cooper,
Dennis,
Ewing,
Frascella,
Helm,
Hocker,

Kornick,
Moran,
Murray, P. G.,
Petrosky,
Rudisill,
Stank,

Stone,
Stroup,
Ujohal,
Walsh,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1207.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1207, entitled: "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereof' providing for payments on account of pupil transportation to certain additional school districts."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
THOMAS A. EHRCOOD,
JOSEPH D. RIPP,
(Committee on the part of the Senate.)

JOHN J. MURRAY,
LEE A. DONALDSON, JR.,
JOHN R. GAILEY, JR.,

(Committee on the part of the House of Representatives.)

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of pupil transportation to certain additional school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2541 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" amended February 17, 1956 (P. L. 1066) June 21, 1957 (P. L. 385) and July 13, 1957 (P. L. 864) is amended to read

Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the [district] district's subsidiary account reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed With respect to vehicles purchased prior to January 1, 1956 the number of depreciation payments shall be limited to ten such payments With respect to vehicles purchased on or after January 1, 1956 the annual depreciation charge shall not exceed seven hundred dollars

(\$700) for such vehicles The number of annual depreciation charges shall be limited so that the total amount of such payments shall not exceed the cost of the vehicle as approved by the Department of Public Instruction at the time of the purchase In no case shall the Commonwealth pay in depreciation charges more than ten thousand five hundred dollars (\$10,500) for any one vehicle

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation [and] to merged or union school districts in which one or more [such] of the component districts [are a component] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation provided the electorate have not rejected the formation of a union school district for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State teachers' college and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile [and] to merged or union school districts in which one or more [such] of the component districts [are a competent] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation provided the electorate have not rejected the formation of a union school district for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session and to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest jointly operated school in session offering the proper grades including pupils who are attending area technical schools

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them

(4) To all third and fourth class school districts for pupils transported to and from approved consolidated schools or approved joint consolidated schools or approved vocational district schools living one and one-half miles or more from the school of attendance

Consolidated schools or joint consolidated schools or vocational district schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing therefor constitute approved consolidated schools or approved joint consolidated schools or approved vocational district schools

[(5) To all school districts for pupils transported to and from schools used for the purpose of better gradation and approved by the county superintendent of schools

(6) To all school districts for pupils transported to and from area technical schools]

(7) To all school districts for the transportation of non-resident children who are placed in the home of a resident

or who are inmates of an orphan asylum or home or a children's home or other institution for the care and training of orphans or other children and who attend the public schools and who live two miles or more from the nearest school with the proper grades

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Gelfand,	McDonald,	Riley,
Anderson,	George,	McInroy,	Rovansek,
Arlene,	Gibb,	McKeever,	Royer,
Balthaser,	Goldstein	McLaughlin,	Sakulsky,
Barton,	Goodrich,	Machmer,	Scarcelli,
Bell,	Gramlich,	Magee,	Schaaaf,
Blair,	Guthrie,	Mahan,	Schuster,
Bonner,	Hamilton,	Markley,	Schwartz,
Boris,	Heavey,	Maxwell,	Seltzer,
Bower,	Heffner,	Meholchick,	Sherman,
Bowman,	Henzel,	Merry,	Shupnik,
Branca,	Holliday,	Mihm,	Silverman,
Brenninger,	Holt,	Miller, B. Z.,	Snare,
Buchanan,	Horst,	Miller, H. G.,	Snider,
Burns,	Irviss,	Mills,	Steckel,
Capitolo,	Isaacs,	Monroe,	Stevens,
Cianfrani,	Jenkins,	Muldowney,	Stewart,
Cioffi,	Jim,	Mullen,	Stimmel,
Clarke,	Johnson, A. W.,	Munley,	Stoner,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Strausser,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Sullivan,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Taylor,
Davis,	Jump,	Murray, J. J.,	Thompson,
Dengler,	Kamyk,	Musto,	Tompkins,
Dennison,	Kee,	Naugle,	Trusio,
Devlin,	Keiser,	Needham,	Varallo,
Donahue,	Kernaghan,	Nelson,	Varnier,
Donaldson,	Kessler,	O'Dell,	Verona,
Dougherty,	Knecht,	O'Donnell, J. A.,	Wall,
Down,	Kooker,	O'Donnell, J. P.	Wargo,
Edwards,	Korns,	Odoriso,	Weidner,
Eilberg,	Kovolenko,	Ogilvie,	Welsh,
Eshback,	Kubitsky,	O'Neill,	Wescott,
Eshleman,	Lamb,	Parlante,	Wheeler,
Farabaugh,	Lee, A. M.,	Pashley,	Whittaker,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Leonard,	Perry, P. E.,	Williams, E. S.,
Fineman,	Light,	Polaski,	Willard,
Floyd,	Limper,	Polen,	Willaredt,
Flynn,	Lippincott,	Prendergast,	Wilt,
Foerster,	Lopresti,	Price,	Worley,
Fox,	Luigard,	Pursley,	Wynd,
Frank,	Lutty,	Reibman,	Yatron,
Fulmer,	McCandless,	Reidenbach,	Yetter,
Galley,	McCann,	Renwick,	Zimmerman,
Gallagher,	McCormack,	Rigby,	Andrews,
Garlock,			Speaker

NAYS—0

NOT VOTING—23

Ashton,	Cooper,	Kornick,	Stone,
Auker,	Dennis,	Moran,	Stroup,
Boies,	Ewing,	Murray, P. G.,	Ujobai,
Breth,	Frascella,	Petrosky,	Walsh,
Brown,	Helm,	Rudisill,	Wood,
Capano,	Hocker,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 2326

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2326.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for the public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

Respectfully submit the following bill as our report:

EDWARD J. KESSLER,
ROBERT D. FLEMING,
CHARLES R. WEINER,

(Committee on the part of the Senate.)

J. DEAN POLEN,
STEPHEN M. McCANN,
EDWIN W. TOMPKINS,

(Committee on the part of the House of Representatives.)

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31 1959

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act of 1959"

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the payment of the salaries wages or other compensation and travel expense of the duly elected or appointed officers and employees of the Commonwealth for payment of fees for contractual service rendered for the purchase or rental of goods services printing equipment land and buildings and for payment of any other expenses as provided by law or by this act necessary for the proper conduct of the duties functions and activities and for the purpose hereinafter set forth for the two years beginning June 1 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31 1959

I EXECUTIVE DEPARTMENT

To the Governor

For the salaries wages and all necessary expenses for the following purposes and activities including the maintenance of the executive mansion the expenses of entertainment of official guests participation in the Governor's Conference the expenses of the Executive Board and for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth

Administration of the office of the Governor and the State Planning Board as provided in section 701 of The Administrative Code of 1929 and the act of May 20 1949 (P L 1608) and Reorganization Plan No 1 of 1955 \$ 1,364,250

For the cost of painting a portrait of the ex-Governor to be placed in the office of the Governor 750

To the Lieutenant Governor

For the salaries wages and all necessary expenses for the proper conduct of the office of the Lieutenant Governor as provided in section 702 of The Administrative Code of 1929 65,000

For the cost of painting a portrait of the ex-Lieutenant Governor to be placed in the office of the Lieutenant Governor 750

To the Department of the Auditor General

For the salaries wages and all necessary expenses for the proper conduct of the following purposes and activities

Administration of the Department of the Auditor General as provided in sections 706 and 1001 of The Administrative Code of 1929 and The Fiscal Code for auditing justices of the peace other fining officers Volunteer Firemen's Relief Association Funds and the offices of elected State officials 719,250

For auditing State government agencies as provided in the Liquor Code and The Fiscal Code the following amount is appropriated as a revolving fund and will be utilized to audit departments and agencies which will be billed In addition to the amount hereby appropriated any money collected by the Department of Auditor General for auditing costs shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation And provided further That the specific appropriation of seven hundred fifty thousand dollars (\$750,000) made hereby shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount 750,000

Administration of the board of Arbitration of Claims 35,000

Compensation to the State's Fiscal Agent for the custody and safe-keeping of the books and records pertaining to loans of the Commonwealth 1,250

To the Treasury Department

For the salaries wages and all necessary expenses for the proper conduct of the following purposes and activities

Administration of the Treasury Department as provided in sections 707 and 1101 of The Administrative Code of 1929 and The Fiscal Code 1,700,000

Payment of the difference between the interest earned by the moneys in the Agriculture College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State University 35,000

Publishing statements of the General Fund and other funds of the Commonwealth 20,000

Compensation of the Commonwealth's Loan and Transfer Agent for services and expenses in connection with the registration transfer and payment of interest on bonds of the Commonwealth and other services required to be performed by the Loan and Transfer Agent 59,134

Printing or engraving bonds required by the Loan and Transfer Agent in making exchanges as requested by bond holders 500

Payment of legal fees publication of advertisements costs of engraving and other expenses incurred in the issuing of tax anticipation notes 75,000

Administration of the Board of Finance and Revenue as provided in sections 405 and 1102 of The Administrative Code of 1929 and The Fiscal Code 200,000

Refunding moneys paid into the State Treasury to the credit of the General Fund in payment of approved claims for refunds made to the Board of Finance and Revenue 1,250,000

For payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of Article IX section 21 of the Constitution of Pennsylvania as authorized by the act of June 28, 1947 (P. L. 1062) according to the following schedule 3,935,020

Date of Payment	Principal	Interest	Total
October 1 1959	\$1,500,000	\$247,680	\$1,747,680
April 1 1960	233,580	233,580
October 1 1960	1,500,000	233,920	1,733,920
April 1 1961	219,840	219,840
Total	\$3,000,000	\$935,020	\$3,935,020

For the payment into the World War II Veterans' Compensation Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the authority of the act approved June 11, 1947 (P. L. 565) according to the following schedule 60,250,000

Date of Payment	Principal	Interest	Total
August 15 1959 Series "N"	\$ 471,250	\$ 471,250	\$ 471,250
September 1 1959 Series "M"	1,192,500	1,192,500	1,192,500
February 15 1960 Series "N"	471,250	471,250	471,250
March 1 1960 Series "M"	\$27,000,000	1,192,500	28,192,500
August 15 1960 Series "N"	471,250	471,250	471,250
September 1 1960 Series "M"	990,000	990,000	990,000
February 15 1961 Series "N"	471,250	471,250	471,250
March 1 1961 Series "M"	27,000,000	990,000	27,990,000

Total 54,000,000 6,250,000 60,250,000

To the Department of Internal Affairs

For the salaries wages and all necessary expenses for the proper administration of the Department of Internal Affairs as provided in the acts of July 24, 1913 (P. L. 965) May 5, 1921 (P. L. 389) July 19, 1935 (P. L. 1356) July 2, 1937 (P. L. 2772) June 25, 1941 (P. L. 159) May 2, 1949 (P. L. 873) May 29, 1956 (P. L. 1840) Act No. 137 approved July 9 1959 and The Administrative Code of 1929 including maintenance of land records publicity and information statistical services municipal affairs and bond issues performance of duties relating to standards weights and measures and topographical and geological surveys 2,292,285

To the Department of Agriculture

For the salaries wages and all necessary expenses for the proper administration of the Department of Agriculture as provided in the acts of May 13, 1909 (P. L. 520) May 28, 1915 (P. L. 587) July 25, 1917 (P. L. 1195) July 10, 1919 (P. L. 900) April 6, 1921 (P. L. 95) May 11, 1921 (P. L. 522) March 28, 1929 (P. L. 86) April 4, 1929 (P. L. 144) April 11, 1929 (P. L. 488) May 20, 1931 (P. L. 136) July 2, 1935 (P. L. 589) April 21 1937 (P. L. 318) May 15, 1945 (P. L. 547) May 18, 1945 (P. L. 796) April 20, 1949 (P. L. 650) April 6, 1956 (P. L. 1429) and The Administrative Code of 1929 including the following programs Animal industry food regulation and testing milk sanitation marketing activities farm show operations plant industry soil conservation and Auditor General's audit costs 6,437,600

Payment of fees to veterinarians to take blood samples from all cattle not operating under the milk ring test or the individual plan for the control of brucellosis 170,000

For the maintenance of a calfhood vaccination program in the control and eradication of brucellosis 292,250

Reserve for emergency projects in connection with an outbreak of foot and mouth disease gypsy moth or rabies and other emergencies of a similar nature affecting agriculture as provided in sections 1702, 1703 1708 and 1710 of The Administrative Code of 1929 40,000

Payment of compensation to owners of animals destroyed in disease eradication programs as provided in section 1702 of The Administrative Code of 1929 and the Dog Law of 1921 .. 160,000

Maintenance and operation of the Regional Poultry Diagnostic Laboratory at the National Agricultural College Farm School 48,000

Cooperating with and matching prizes or premiums paid by agricultural associations for exhibits at annual agricultural fairs Provided That such associations file such reports as may be required by the Secretary of Agriculture

Development and operation of an open livestock show including cattle swine sheep and horses Provided That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation the funds so allocated to be used for the development and operation of a livestock show in Pennsylvania And further provided That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure ..

Promotion and holding of annual local regional and State 4-H dairy club and Future Farmers of America dairy shows

For the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds as provided in the act of July 28, 1953 (P. L. 652)

To the Department of Banking

For the salaries wages and all necessary expenses for the proper administration of the Securities Commission in connection with the act of July 10, 1941 (P. L. 317) known as The Pennsylvania Securities Act and performing duties as provided in section 1605 of The Administrative Code of 1920

To the State Council of Civil Defense

For the salaries wages and all necessary expenses for the proper administration of the State Council of Civil Defense as provided in the act of March 19, 1951 (P. L. 28) including the following warning and communication services protective services emergency medical and health services training services public information services and Auditor General's audit costs

To the State Civil Service Commission

For the salaries wages and all necessary expenses for the proper administration of the Civil Service Commission as provided in the act of August 5, 1941 (P. L. 752) including administration of the merit system for employes under the provisions of the Civil Service Act supra and Auditor General's audit costs. Provided, That in addition to the amount hereby appropriated any money collected by the commission by way of reimbursement under the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation. And provided further, That the specific appropriation of one hundred thousand dollars (\$100,000) made hereby shall be used by the commission as working capital only and shall lapse at the end of the binnium in the full amount

To the Department of Commerce

For the salaries wages and all necessary expenses for the proper administration of the Department of Commerce as provided in the acts of May 10 1939 (P L 101 and P L 111) May 17 1956 (P L 1609) May 31 1956 (P L 1911) including the following industrial development urban renewal-administration pro-

110,000

100,000

30,000

40,000

258,370

800,000

100,000

motion of tourist travel business services and Auditor General's audit costs 1,786,655
Ceremonies in recognition of the Distinguished Daughters of Pennsylvania 3,000

To the Department of Forest and Waters

For the salaries wages and all necessary expenses for the proper administration of the Department of Forests and Waters as provided in the acts of May 4 1905 (P L 385) June 25 1913 (P L 555) May 31 1923 (P L 487) May 5 1927 (P L 817) May 2 1929 (P L 1530) May 17 1929 (P L 1798) June 12 1931 (P L 528) April 24 1933 (P L 61) July 9 1935 (P L 619) June 24 1939 (P L 842) June 4 1945 (P L 1383) June 5 1947 (P L 422) and The Administrative Code of 1929 including forest and park services maintenance water resources maintenance and regulation and Auditor General's audit costs

8,874,879

Administration of the Navigation Commission for the Delaware River and performance of duties and exercise of powers relating to navigation on the Delaware River as provided in the act of June 21 1937 (P L 1960)

100,000

Administration of the State Park and Harbor Commission operation and maintenance of the Pennsylvania State Park at Erie and payment of contract costs in building roads and dredging filling bridging and erection of docks in the State Park area as provided in the act of May 27, 1921 (P. L. 1180)

372,000

Administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge Park as provided in the act of May 30 1893 (P L 183)

262,000

Administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing Park as provided in the act of July 25 1917 (P L 1209)

198,000

Administration of the Bushy Run Battlefield Park Commission and operation and maintenance of the Bushy Run Battlefield Park as provided in the act of May 1927 (P L 759)

35,600

Payment of annual fixed charge in lieu of taxes to counties school districts and townships on forest and park lands as provided in the act of May 17 1929 (P L 1798)

402,000

Payment of annual fixed charges in lieu of taxes to counties and townships on lands acquired for water conservation and flood control as provided in the act of May 31 1923 (P L 487)

12,000

Payment of Pennsylvania's share of the expense of the River Master for the Delaware River in accordance with the U S Supreme Courts decree of June 7 1954

22,000

To the Department of Health

For salaries wages and all necessary expenses for the proper administration of the Department of Health as provided in the acts of April 22 1905 (P L 260) April 27 1905 (P L 1987) January 14 1952 (P L 1898) June 29 1953 (P L 304) April 23 1956 (P L 1510) and The Administrative Code of 1929 including maintenance of vital statistics and records laboratory services public health nursing local health services preventive disease services environmental health services and Auditor General's audit costs

15,466,263

Operation and maintenance of the following hospitals

Samuel G Dixon State Hospital (Mont Alto)

Lawrence F Flick State Hospital (Cresson)

Henry R Landis State Hospital (Philadelphia)

Pittsburgh State Tuberculosis Hospital (Pittsburgh)		to the Federal Government with respect to compensation of employes of the Commonwealth paid from the General Fund as provided in the act of January 5 1952 (P L 1833)	21,746,000
State Hospital for Crippled Children (Elizabethtown)	19,000,000	Payments to employes under the Occupational Disease Act of June 21 1939 (P L 566)	27,000,000
Providing aid to counties in the establishment and maintenance of county health departments in accordance with the act of August 24 1951 (P L 1304) as amended	6,414,000	Payment of benefits to partially disabled employes who through subsequent injury become totally disabled as provided in the act of June 2 1915 (P L 736)	75,000
Reimbursement to school districts on account of Health services as provided by Articles XIV and XXV of the Public School Code of 1940	15,217,000	For work of the State Board of Vocational Rehabilitation and Bureau of Rehabilitation as provided in the act of May 22 1945 (P L 849)	4,801,653
To the Pennsylvania Historical and Museum Commission		To the Department of Military Affairs	
For the salaries wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission as provided in the Administrative Code of 1929 including research publications and public information collection preservation and disposal of records maintenance and operation of the State Museum and historical properties	1,199,349	For salaries wages and all necessary expenses for the proper administration of the Department of Military Affairs as provided in the act of May 27 1949 (P L 1903) and The Administrative Code of 1929 including military reservation maintenance armory planning and functions Army and Air National Guard administration veterans' affairs administration and Auditor General's audit costs	4,257,191
To the Department of Insurance		There is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania Guard in furnishing relief from disaster and all receipts from the Federal government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the Commonwealth be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania Guard	
For the salaries wages and all necessary expenses for the proper administration of the Department of Insurance as provided in the act of May 17 1921 (P L 789) and The Administrative Code of 1929 including examination and supervision of insurance companies regulation of rates and policies supervise liquidation of insurance companies licensing and Auditor General's audit costs	2,354,547	Emergency work in the event of a natural disaster or enemy action	\$ 200,000
To the Department of Justice		Operation and maintenance of the Soldiers and Sailors Home at Erie as provided in the act of June 3, 1885 (P. L. 62)	604,200
For the salaries wages and all necessary expenses for the proper administration of the Department of Justice as provided in The Administrative Code of 1929 and Reorganization Plan No 5 of 1955 (P L 2048) including legal services review of clemency applications promotion of uniform state laws inspection of County and Municipal correctional institutions and Auditor General's audit costs	2,564,455	Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal government or by a political subdivision or municipal authority and the Federal government as provided in the act of May 2, 1947 (P. L. 136)	1,500,000
Operation and maintenance of the following penal and correctional institutions		To the Milk Control Commission	
Eastern State Penitentiary (Philadelphia)		For payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated in the act of April 28, 1937 (P. L. 417)	300,000
Western State Penitentiary (Pittsburgh)		To the Department of Mines and Mineral Industries	
State Penitentiary at Graterford		For the salaries wages and all necessary	
State Penitentiary at Rockview			
State Industrial Home for Women at Muncy			
Pennsylvania Industrial School at Camp Hill			
Pennsylvania Institution for Defective Delinquents at Huntingdon			
Pennsylvania Institution for Defective Delinquents at Dallas	28,167,307		
To the Department of Labor and Industry			
For salaries wages and all necessary expenses for the proper administration of the Department of Labor and Industry as provided in the acts of June 2 1913 (P L 396) July 31 1941 (P L 616) May 18 1937 (P L 674) June 1 1937 (P L 1168) October 27 1955 (P L 744) February 28 1956 (P L 1120) and The Administrative Code of 1929 including research and statistics administration of social security problems of older workers workmen's compensation inspectional services industrial safety labor relations industrial standards enforcement of employment laws fair employment practice rehabilitation and Auditor General's audit costs	8,377,719		
For payment into the Social Security Contribution Fund the following sum or as much thereof as may be necessary in paying the General Fund's share of Social Security taxes			

expenses for the proper administration of the Department of Mines and Mineral Industries as provided in the acts of June 2, 1891 (P. L. 176) April 14, 1903 (P. L. 180) May 29, 1945 (P. L. 1132) June 30, 1947 (P. L. 1177) April 6, 1956 (P. L. 1436) and The Administration Code of 1929 including regulation of bituminous open-pit mining care of injured mine workers abandoned coal mine services anthracite mine drainage administration regulation of gas operations and well drilling and Auditor General's audit costs 3,616,935

For the payment of grants for research in the technology economics and marketing of bituminous and anthracite coal and its by-products for the purpose of developing new uses and markets as provided in The Administrative Code of 1929 375,000

To the Pennsylvania Board of Parole

For the salaries wages and all necessary expenses for the proper administration of the Board of Parole and conduct of a research program on correctional matters as provided in the acts of August 6, 1941 (P. L. 861) May 27, 1943 (P. L. 767) and August 24, 1951 (P. L. 1401) including field services supervision and investigation and Auditor General's audit costs 2,440,489

To the Department of Property and Supplies

For the salaries wages and all necessary expenses for the proper administration of the Department of Property and Supplies as provided in the acts of May 3, 1923 (P. L. 134) April 12, 1945 (P. L. 220) July 6, 1947 (P. L. 1333) and The Administrative Code of 1929 including editing printing and distribution of State publications purchase of commodities for State agencies purchase and disposal of automotive equipment maintenance of automotive equipment building construction engineering and design maintenance and custody of State office buildings and grounds including moving services and household operations of the executive mansion survey of State-owned buildings acquisition and distribution of State surplus property and Federal surplus commodities acquisition of Federal surplus property formulation of building standards and Auditor General's audit costs \$15,525,178

Judicial printing 100,000
Payment of rental charges to the General State Authority as provided in The Administrative Code of 1929 \$42,400,000

To the Department of Public Instruction

For the salaries wages and all necessary expenses for the proper administration of the Department of Public Instruction as provided in the acts of May 29, 1931 (P. L. 210) May 2, 1945 (P. L. 401) June 25, 1947 (P. L. 951) July 8, 1947 (P. L. 1428 and 1433) May 26, 1949 (P. L. 1844) Public School Code of 1949 and The Administrative Code of 1929 including training of public service employees administrative services for school districts school building services curriculum development services vocational education services public school employees' retirement special services for pupils auditing of State-aid to public school districts credentials evaluation and certification professional licensing services State library services regulation of private schools and veterans' education higher education services and Auditor General's audit costs 8,160,863

Payment of rental charges to the General State Authority for capital improvements at

State-aided educational institutions 477,196

Operation maintenance and administration of the following State Teachers' Colleges in accordance with section 202 of The Administrative Code of 1929

State Teachers' College at Bloomsburg	1,455,000
State Teachers' College at California	1,562,000
State Teachers' College at Cheyney	803,360
State Teachers' College at Clarion	997,200
State Teachers' College at East Stroudsburg	1,220,800
State Teachers' College at Edinboro	1,120,000
State Teachers' College at Indiana	2,790,000
State Teachers' College at Kutztown	1,300,000
State Teachers' College at Lock Haven	1,014,960
State Teachers' College at Mansfield	1,013,400
State Teachers' College at Millersville ..	1,559,120
State Teachers' College at Shippensburg ..	1,239,160
State Teachers' College at Slippery Rock ..	1,227,000
State Teachers' College at West Chester ..	2,186,400

And in addition to the above amounts all income and all moneys collected at the several State Teachers' Colleges and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers' Colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal year

Operation maintenance and administration of the Pennsylvania State Oral School at Scranton as provided in The Administrative Code of 1929 \$ 500,000

Operation maintenance and administration of Scotland School for Veterans' Children as provided in The Administrative Code of 1929 and the act of May 27, 1893 (P. L. 171) .. 1,750,000

Operation maintenance and administration of the Thaddeus Stevens Trade School at Lancaster as provided in the act of May 11, 1905 (P. L. 518) and The Administrative Code of 1929 800,000

And in addition to the above amount all income and all moneys collected at the Thaddeus Stevens Trade School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the Thaddeus Stevens Trade School for the same purpose the school to receive from such appropriation the exact amount which was collected at said school during the said fiscal year

To provide matching funds for the National Defense Education Act (P. L. 864 85th U. S. Congress) for strengthening instruction testing and counseling in the public schools improve statistical services at the State level and provide for area vocational education \$ 543,534

Payments to school districts on account of instructional cost of pupil education as provided in sections 2502 and 2502.2 of the Public School Code of 1949 Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open 527,885,138

Payments to school districts on account of annual rental or sinking fund charges on school buildings as provided in sections 2572 2574 2575 and 2575.1 of the Public School Code of 1949 42,415,000

Payments to school districts on account of pupil transportation as provided in sections 2541 2542 2543 and 2509.1 of the Public School Code of 1949 41,435,561

For additional payments on account of instructional cost of pupil education to encourage the formation of joint and union districts as provided in section 2502.1 of the Public School Code of 1949 26,000,000

For payments to school districts on account of closed schools in accordance with section 2511 of the Public School Code of 1949	4,900,000	Payment of traveling expenses and legal fees of county boards of school directors as provided in sections 924 and 925 of the Public School Code of 1949	61,600
For payment of State and Federal subsidies to school districts and county boards of school directors for approved vocational courses traveling expenses extension classes and equipment in area technical schools as provided in sections 1802, 1804, 2504, 2506, 2507, 2508, 2508.1, 2508.2 and 2508.3 of the Public School Code of 1949 and the acts of July 11, 1917 (P. L. 757) and May 11, 1949 (P. L. 1202)	2,446,761	For payment of required contributions into the Annuity Reserve Account of the School Employees' Retirement Fund as provided in the act of July 18, 1917 (P. L. 1043)	15,640,564
For payments to school districts and county boards of school directors on account of special education of handicapped pupils as provided in sections 2509 and 2509.1 of the Public School Code of 1949	\$21,335,000	For payment of required contribution into the Contingent Reserve Account of the School Employees' Retirement Fund as provided in the act of July 18, 1917 (P. L. 1043)	54,220,039
For payments to schools for the deaf blind and palsied in accordance with sections 1373.1, 1376 and 1377 of the Public School Code of 1949	6,800,000	For payment of required contribution into the Former Teachers' Account of the School Employees' Retirement Fund as provided in the act of July 18, 1917 (P. L. 1043)	113,400
For payments to school districts in reimbursement of tuition paid to other districts as provided in section 2503 of the Public School Code of 1949	1,500,000	To the Public Utility Commission	
For payments to school districts on account of home-bound instruction as provided in section 2510 of the Public School Code of 1949	950,000	For the salaries wages and all necessary expenses for the proper administration of the Public Utility Commission as provided in the act of May 28, 1937 (P. L. 1053) including regulation of transportation utilities regulation of service utilities and Auditor General's audit costs	3,965,957
For payments to school districts on account of extension education including recreation as provided in section 2510 of the Public School Code of 1949. No part of this appropriation shall be used to reimburse school districts for adult education or adult recreation except for the blind	2,750,000	Payment of a share of the cost of installation of safety devices at railroad grade crossings	30,000
For the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine	358,000	To the Department of Public Welfare	
For payments for tuition to school districts providing education to nonresident orphaned children placed in private homes by the court and nonresident inmates of children's institutions as provided in the Public School Code of 1949 sections 1305, 1306 and 2503	2,500,000	For salaries wages and all necessary expenses for the proper administration of the Department of Public Welfare as provided in the acts of July 11, 1917 (P. L. 769) April 4, 1925 (P. L. 127) April 14, 1925 (P. L. 234) June 12, 1931 (P. L. 510) June 24, 1937 (P. L. 2017, 2045 and 2051) June 27, 1939 (P. L. 1184) April 23, 1941 (P. L. 20) June 3, 1943 (P. L. 847) June 25, 1947 (P. L. 940) July 5, 1947 (P. L. 1335) April 6, 1951 (P. L. 68) May 10, 1951 (P. L. 279) June 12, 1951 (P. L. 533) September 26, 1951 (P. L. 1536) June 29, 1953 (P. L. 300) July 13, 1953 (P. L. 431) October 22, 1955 (P. L. 725) January 26, 1956 (P. L. 955) The Administrative Code of 1929 The Fiscal Code of 1929 The Penal Code of 1939 and The Public School Code of 1949 including mental health services for the aging general and special hospital services public assistance services services for children and youth day care program for children of migrant workers services for the blind and Auditor General's audit costs	9,512,828
For payments of annual fixed charges to school districts in lieu of taxes for land acquired by the Commonwealth for water conservation or flood prevention as provided in the Public School Code of 1949 section 604	22,300	In addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation.	
For annual payments not to exceed five hundred dollars (\$500) per student to institutions of higher learning for defraying the expenses of deaf or blind students as provided in the Public School Code of 1949 section 1381	40,000	For operation and maintenance of the following institutions for the mentally ill and mentally retarded as provided in The Administrative Code of 1929.	
For payments of three dollars (\$3) per day to nonsectarian institutions for the education of blind children under eight years of age as provided in the Public School Code of 1949 section 1380	6,000	Allentown State Hospital	
For payments of two hundred dollars (\$200) annually (maximum per pupil eight hundred dollars) (\$800) as scholarships to selected students attending institutions of higher learning as provided in the Public School Code of 1949 section 1612	128,000	Clarks Summit State Hospital	
For payments for the education of children living at the Cornplanter Indian Reservation as provided in the act of April 18, 1856 (P. L. 410)	4,000	Danville State Hospital	
For payment of minimum salaries of county superintendents assistant county superintendents and supervisors of special education as provided in sections 1066 and 1067 of the Public School Code of 1949	4,418,500	Dixmont State Hospital	
Payment of traveling expenses of county superintendents assistant county superintendents and supervisors of special education as provided in section 1068 of the Public School Code of 1949	353,500	Eastern Pennsylvania Psychiatric Institute	
		Embreeville State Hospital	
		Farview State Hospital	
		Harrisburg State Hospital	
		Haverford Mental Health Center	
		Holidaysburg State Hospital	
		Mayview State Hospital	
		Norristown State Hospital	
		Philadelphia State Hospital	
		Retreat State Hospital	
		Somerset State Hospital	
		Torrance State Hospital	
		Warren State Hospital	
		Wernersville State Hospital	
		Woodville State Hospital	

Ebensburg State School
Hamburg State School and Hospital
Laurelton State Village
Pennhurst State Hospital
Polk State School
Selinsgrove State Hospital \$165,206,471
For operation and maintenance of the following diagnostic and evaluation centers for the study and classification of retarded children and children with mental or behavioral problems as provided in The Administrative Code of 1929.
Eastern Diagnostic and Evaluation Center at Philadelphia.
Western Diagnostic and Evaluation Center at Pittsburgh.
Central Diagnostic and Evaluation Center at Selinsgrove 900,000
For operation and maintenance of the Eastern Mental Health Center which coordinates mental health activities for the Philadelphia region and maintains a reception and classification center and a research unit as provided in the act of June 12, 1951 (P. L. 533) and in The Administrative Code of 1929 900,000
For the establishment operation and maintenance of a Western Mental Hospital Center to operate a screening evaluation and short term treatment center chiefly for geriatric patients as provided in the Act of June 12, 1951 (P. L. 533) and in The Administrative Code of 1929 800,000
For operation and maintenance of the Pennsylvania Training School at Morganza as provided in the act of April 22, 1879 (P. L. 43) and The Administrative Code of 1929 2,472,617
For the operations of State Forest Camps for delinquent boys between the ages of fifteen and eighteen years who are committed by juvenile courts as provided in the act of May 29, 1956 (P. L. 1803) 468,706
For operation and maintenance of the following State medical and surgical hospitals as provided in The Administrative Code of 1929.
Ashland State Hospital
Blossburg State Hospital
Coaldale State Hospital
Connellsville State Hospital
Hazleton State Hospital
Locust Mountain State Hospital
Nanticoke State Hospital
Philipsburg State Hospital
Scranton State Hospital
Shamokin State Hospital 19,000,000
For reimbursement to county institution districts and to private institutions for boarded out mental patients and for the care of mental defectives prior to their admission to State-owned institutions as provided in the act of June 12, 1951 (P. L. 533) 2,021,005
For grants to community psychiatric clinics and other community agencies for mental health services as provided in The Administrative Code of 1929 section 2313.1 1,190,000
In addition to this amount moneys received from the United States Government for this program shall be paid into the General Fund and credited to this appropriation.
For establishment of diagnostic clinics and treatment centers in General Hospitals as provided in The Administrative Code of 1929 section 2313.1 150,000
For payments to Philadelphia General Hospital Mercy Douglass Hospital and the University of Pennsylvania for mental care and treatment as provided in The Administrative Code of 1929 section 2313.1 2,785,500
For assistance payments and county administration as provided in the acts of June 24, 1937 (P. L. 2051 and 2045) June 27, 1939 (P. L.

1184) April 23, 1941 (P. L. 20) March 10, 1949 (P. L. 30) May 10, 1951 (P. L. 279) July 13, 1953 (P. L. 431) The Fiscal Code of 1929 and The Penal Code of 1939 106,784,090

The Department of Public Welfare shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind aid to the disabled general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the department and Auditor Generals eligibility audit costs of public assistance recipients.

Quarterly allocations shall be made to the Treasury Department in such amounts as may be deemed necessary to pay the administrative expenses of such department in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations. In the case of allocations made to the Treasury Department such allocations shall be made by the Governor President Pro Tempore of the Senate Speaker of the House of Representatives Secretary of Public Welfare and the State Treasurer or a majority thereof.

For reimbursement to counties for child care services for dependent neglected and delinquent children and for the counties' purchase of such care from voluntary agencies .. 2,000,000

In addition to this amount moneys received from the United States Government for this program shall be paid into the General Fund and credited to this appropriation.

For subsidy payments for services for the blind as provided in the act of June 3, 1943 (P. L. 847) and The Administrative Code of 1929 143,500

In addition to this amount moneys received from the United States Government for this program shall be paid into the General Fund and credited to this appropriation.

To the Department of Revenue

For salaries wages and all necessary expenses for the proper administration of the Department of Revenue as provided in the acts of May 2, 1889 (P. L. 66) June 20, 1919 (P. L. 521) December 5, 1933 (P. L. 38) May 16, 1945 (P. L. 594) May 9, 1949 (P. L. 919) May 20, 1949 (P. L. 1584) June 12, 1951 (P. L. 533) December 27, 1951 (P. L. 1742) March 6, 1956 (P. L. 1228 and 1256) July 8, 1957 (P. L. 594) The Fiscal Code and The Administrative Code of 1929 including corporation taxes institutional collections county collections investigation and collections enforcement of cigarette tax law sales and use tax administration and Auditor General's audit costs 17,704,857

To the Department of State

For salaries wages and all necessary expenses for the proper administration of the Department of State as provided in the acts of April 29 1874 (P. L. 73) June 27, 1923 (P. L. 858) May 13, 1925 (P. L. 644) June 29, 1937 (P. L. 2423) August 21, 1953 (P. L. 1323) August 31 1955 (P. L. 531) Act 78 of June 1, 1959 and The Administrative Code of 1929 including registration of corporations commissions elections and legislation services State Employees' and State Police retirement systems regulation of solicitation activities regulation of boxing and wrestling and Auditor General's audit costs 1,216,300

Publication of proposed constitutional amendments 100,000

Performing powers and duties relating to absentee voting by persons in military service

as provided in Article XIII of the Pennsylvania Election Code and the act of June 3, 1937 (P. L. 1333) 26,000

Payment of State contributions into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account No. 2 as provided for in the act of June 27, 1923 (P. L. 858) 4,971,245

Payment of State contributions into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account as provided for in the act of June 27 1923 (P. L. 858) 9,702,698

Payment of funds into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System by the act of June 29, 1937 (P. L. 2423) 50,000

To the Pennsylvania State Police

For salaries wages and all necessary expenses for the proper administration of the Pennsylvania State Police as provided in the acts of June 3, 1919 (P. L. 366) April 27, 1927 (P. L. 414 and 450) July 18, 1935 (P. L. 1314) and The Administrative Code of 1929 including criminal identification fire protection criminal investigation traffic control quartermaster and mechanical services communications training and Auditor General's audit costs 7,157,272

And in addition to the above amount all sums from time to time transferred from the Motor License Fund or paid by the Pennsylvania Turnpike Commission for policemen assigned to patrol the turnpike and training school fees received from municipalities and others are hereby appropriated to the Pennsylvania State Police for the purposes for which the same is transferred or paid.

To the State Tax Equalization Board

For the salaries wages and all necessary expenses for the proper administration of the State Tax Equalization Board as provided in the act of June 27, 1947 (P. L. 1046) and for Auditor General's audit costs 625,000

To the Atlantic States Marine Fisheries Commission

For the support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P. L. 798) 1,400

To the Brandywine Battlefield Park Commission

For the conduct of the work of the Brandywine Battlefield Park Commission and to maintain the lands or structures acquired under the act of July 5, 1947 (P. L. 1293) ... 60,000

To the Commission on Interstate Cooperation

For the conduct of the work of the Commission on Interstate Cooperation and the traveling expenses of members to be paid on warrant of the Auditor General favor of the chairman or treasurer of the commission on presentation of his requisition and who shall file an accounting with the Auditor General as provided in the act of March 24, 1937 (P. L. 109) 40,000

To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau one-half of the appropriation to be paid each fiscal year of the biennium in equal quarterly installments on requisition of the Auditor General and warrants for such payments to be drawn to the order of the Executive Directors of the Council of State Governments who shall file an accounting of said expenses with the Auditor General as

provided by the act of June 23, 1931 (P. L. 1200) 77,000

To the Interstate Commission on the Delaware River Basin

For the conduct of the work of the Interstate Commission on the Delaware River Basin to be paid on warrants of the Auditor General in favor of the chairman of said commission who shall file an accounting with the Auditor General as provided by the act of May 21, 1943 (P. L. 422) 60,000

To the Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29, 1945 (P. L. 1134) requisitions to be prepared and signed by the Secretary of Health 6,000

To the Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23, 1941 (P. L. 435) and for the expenses of the Governor or his delegate in representing Pennsylvania requisitions to be signed by the Governor 5,500

To the Ohio River Valley Water Sanitation Commission

For the support of the Ohio River Valley Water Sanitation Commission created by the Act of April 2, 1945 (P. L. 103) requisitions to be prepared and signed by the Secretary of Health 40,430

To the Great Lakes Commission

For the support of the Great Lakes Commission created under the act of March 22, 1956 (P. L. 1333) to be paid on warrant of the Auditor General on requisition of the Commissioners who shall file an accounting with the Auditor General 24,000

II LEGISLATIVE DEPARTMENT

To the Senate

For the salaries wages and all necessary expenses for the following purposes.

Salaries of Fifty Senators and extra compensation to the President Pro tempore of the Senate as provided in Act 657 of June 1, 1956 (P. L. 1959) and Act 311,500

Salaries and wages for per diem and session officers and employees including returning officers as provided in Act 253,000

Salaries of salaried employees of the Senate as provided in Act 900,272

Salaries of employees of the President of the Senate as provided in Act 49,560

Mileage

Fifty Senators officers and employees .. 40,700

Postage

Chief Clerk and Legislative Journal .. 9,150

Lieutenant Governor Session 150

Annual Contingent Expenses

Secretary 15,000

Lilbrarian 8,000

President 1960 6,500

President 1961 6,500

President Pro Tempore 1960 6,500

President Pro Tempore 1961 6,500

Chief Clerk 15,000

Majority Floor Leader 1960 6,500

Majority Floor Leader 1961 6,500

Minority Floor Leader 1960 6,500

Minority Floor Leader 1961 6,500

Majority Whip 1960 1,500

Majority Whip 1961 1,500

Minority Whip 1960 1,500

Minority Whip 1961 1,500

Chairman of Majority Caucus 1960 .. 1,500

Chairman of Majority Caucus 1961 .. 1,500

Chairman of Minority Caucus 1960 ..	1,500
Chairman of Minority Caucus 1961 ..	1,500
Secretary of Majority Caucus 1960 ..	500
Secretary of Majority Caucus 1961 ..	500
Secretary of Minority Caucus 1960 ..	500
Secretary of Minority Caucus 1961 ..	500
Miscellaneous Expenses	
Chief Clerk Supplies equipment furniture and other necessary expenses	70,000
History of Legislation Extra Services ..	3,500
Issuing Certificates of Election	95
Attending Funerals	2,500
Expenses Senators	302,000
Legislative Printing and Expenses	300,000

For the payment of the expenses of the Committee on Appropriations of the Senate in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties the committee shall have the authority to examine and inspect all properties equipment facilities files records and accounts of any State office department or any institution or agency supported in whole or in part by appropriation from the State Treasury and to administer oaths The Committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers books accounts documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the State to be taken in the manner prescribed by laws for taking depositions in civil actions The sum appropriated shall be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same If the term of office of the Chairman of the Committee on Appropriations shall terminate prior to the regular session of 1961 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

65,000

For payment of the expenses of the committee of the Senate and the members thereof appointed to investigate into the affairs and activities of the Department of Public Welfare pursuant to Senate Resolution Serial No. 18 adopted March 16 1959

3,500

For payment of the expenses of the committee of the Senate and the members thereof appointed to investigate the redecoration of the offices of the Superintendent of Public Instruction and other fiscal policies of his administration pursuant to Senate Resolution Serial No. 11 adopted March 3 1959

6,000

For payment of the expenses of the committee of the Senate and the members thereof appointed to investigate the rate-making policy and the past and proposed expenditures of the Allegheny County Sanitary Authority pursuant to Senate Resolution Serial No. 27 adopted June 22 1959

2,500

To the House of Representatives

For the salaries wages and all necessary expenses for the following purposes

Salaries of Members and extra compensation to the Speaker of the House of Representatives as provided in Act 657 of June 1 1956 (P. L. 1959) and Act	1,278,000
Salaries and wages for per diem and session officers and employees including returning officers as provided in Act	805,000
Salaries of Salaried employes of the House of Representatives as provided in Act	635,000

Mileage

Two Hundred Ten Members Officers Employees and Returning Officers	490,000
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Postage

Chief Clerk Session and Legislative Journal	25,000
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Annual Contingent Expenses

Speaker 1960	6,500
Speaker 1961	6,500
Chief Clerk	50,000
Secretary	11,000
Majority Floor Leader 1960	6,500
Majority Floor Leader 1961	6,500
Minority Floor Leader 1960	6,500
Minority Floor Leader 1961	6,500
Majority Whip 1960	1,500
Majority Whip 1961	1,500
Minority Whip 1960	1,500
Minority Whip 1961	1,500
Chairman of Majority Caucus 1960	1,500
Chairman of Majority Caucus 1961	1,500
Chairman of Minority Caucus 1960	1,500
Chairman of Minority Caucus 1961	1,500
Secretary of Majority Caucus 1960	500
Secretary of Majority Caucus 1961	500
Secretary of Minority Caucus 1960	500
Secretary of Minority Caucus 1961	500

Miscellaneous Expenses

Chief Clerk supplies equipment furniture and other necessary expenses	185,000
History of Legislation Extra Services	3,500
Issuing Certificates of Election	1,000
Attending Funerals	3,000
Expenses Representatives	1,260,000
Legislative printing and expenses	600,000

For the payment of the expenses of the Committee on Appropriations of the House of Representatives in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports expenditures and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties the committee shall have the authority to examine and inspect all properties equipment facilities files records and accounts of any State office department institution board committee commission or agency or any institution or agency supported in whole or in part by appropriation from the State Treasury and to administer oaths The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses

and the production of any papers books accounts documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the State to be taken in the manner prescribed by laws for taking depositions in civil actions The sum appropriated shall be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same The Chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office or until his successor is elected and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the Committee's expenses since the filing of the prior account 65,000

To the Legislative Reference Bureau

For the salaries wages and all necessary expenses for the work of the Legislative Reference Bureau as provided in the act of May 7 1923 (P L 158) and section 47 of the act of January 21 1947 (P L 3) 244,600

For the work of the Legislative Journal officials after the close of the Session of 1959 including the proofreading of the appendix and index to the Legislative Journal 4,500

To the Local Government Commission

For the salaries wages and all expenses necessary for the work of the Local Government Commission as provided in the act of May 29 1935 (P L 244) 35,000

To the Joint State Government Commission

For the salaries wages and all expenses necessary for the work of the Joint State Government Commission as provided in the act of July 1 1937 (P L 2460) 425,000

To the Secretary of the Senate for the payment of expenses for the Secretary and staff in attending the annual meetings of the National Legislative Conference the Secretary of the Senate to file an accounting with the Auditor General 3,000

To the Chief Clerk of the House of Representatives for the payment of expenses for the Chief Clerk and staff in attending the annual meetings of the National Legislative Conference the Chief Clerk of the House of Representatives to file an accounting with the Auditor General 3,000

For the payment of expenses of officers and employes of the General Assembly appointed by the President Pro Tempore of the Senate or the Speaker of the House of Representatives in attending the meetings of the Council of State Governments and agencies sponsored by it to be paid on warrant of the Auditor General in favor of the President Pro Tempore of the Senate or the Speaker of the House of Representatives upon their requisition but not more than one-half of the appropriation shall be expended by either the President Pro Tempore of the Senate or the Speaker of the House of Representatives who shall file an accounting with the Auditor General 5,000

For the payment of premiums on surety bonds for chairmen and officials of the Senate and House of Representatives 800

III Judicial Department

For the salaries wages and all necessary expenses for the following purposes

Supreme Court

Salaries of the Supreme Court Judges as provided in the act of June 1 1956 (P L 1959) \$421,000

Salaries and compensation of employes and expenses of judges as provided in the act of May 26 1891 (P L 123) 56,000

Salaries and expenses for the office of prothonotary and for the library in the Eastern District as provided in the acts of April 14, 1834 (P. L. 333) and June 24, 1895 (P. L. 212) 120,000

Salaries and expenses for the prothonotary's office in the Middle District as provided in the acts of April 14, 1834 (P. L. 333) and June 24, 1895 (P. L. 212) 25,000

Salaries and expenses for the prothonotary's office and for the library in the Western District 59,300

Salaries and expenses of criers tipstaves official stenographers court officers and the law secretary of the Chief Justice in Eastern Middle and Western Districts and Workmen's Compensation Insurance Premiums for all Supreme Court employes as provided in the act of March 3, 1875 (P. L. 5) 215,000

Salaries and expenses for the office of State reporters as provided in the act of August 16, 1951 (P. L. 1236) 65,000

Fees of prothonotaries of the Supreme Court of the Eastern Middle and Western Districts on assignment to judges to counties other than their own as provided by Order of the Supreme Court of February 19, 1913 7,000

Expenses of Board of Governance of the Pennsylvania Bar 12,000

Expenses of the Procedural Rules Committee as provided in the act of June 21, 1937 (P. L. 1982) 30,000

Salaries and expenses of the State Board of Law Examiners 90,000

Superior Court

Salaries of the Superior Court Judges as provided in the act of June 1, 1956 (P. L. 1959) 393,000

Salaries and compensation for employes and expenses of judges as provided in the acts of June 24, 1895 (P. L. 212) and May 5, 1899 (P. L. 248) 49,000

Salaries and expenses of criers tipstaves official stenographers court officers and law secretary of the President Judge and Workmen's Compensation Insurance Premiums for all employes of the Superior Court as provided in the act of June 24, 1895 (P. L. 212) 200,000

Expenses of dockets stationery supplies books for the library and other costs of the Superior Court and its officers as provided in the act of June 24, 1895 (P. L. 212) 20,000

Expenses of Procedural Rules Committee as provided in the act of July 11, 1957 (P. L. 819) 30,000

Courts of Common Pleas

Salaries of judges as provided in the act of June 16, 1836 (P. L. 784) 5,725,000

Expenses of traveling judges 200,000

Mileage in divided judicial districts 5,000

Clerk hire in Dauphin County 67,200

Orphans' Courts

Salaries of judges 1,140,000

Municipal Court of Philadelphia

Salaries of judges as provided in the act of July 12, 1913 (P. L. 711) 505,000

Allegheny County Court

Salaries of judges as provided in the act of May 5, 1911 (P. L. 198) 217,000

Allegheny County Juvenile Court

Salary of the judge as provided in the act of June 3, 1933 (P. L. 1449) 36,000

Miscellaneous

Salaries of Judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the provisions of the act of June 12, 1919 (P. L. 461) and compensation for retired judges under any act relating thereto enacted during the 1959 Legislative Session 70,000

Salaries of Associate Judges 100,800

Mileage for Associate Judges 7,000

Section 3. This act is not intended to be inconsistent with or to repeal any provisions of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission.

Section 4. No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604, 605 and 606 of The Administrative Code of 1929.

Section 5. The term "employees" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board or commission.

Section 6. The terms "expenses" and "maintenance" shall include all printing binding and stationery food and repairs materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premiums on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds premiums on malpractice insurance and medical payment insurance for volunteer workers in State institutions the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund.

Section 7. Purchase of supplies materials and equipment shall not be deemed to be committed or encumbered until contracts covering said purchases have been entered into with vendors.

Section 8 That part of all appropriations in this act unexpended uncommitted and unencumbered as of May 31, 1961 shall automatically lapse as of that date.

Section 9. The provisions of this act shall be severable. If any provision of this act is found by a court of record to be unconstitutional and void the remaining provisions of the act shall nevertheless remain valid unless the court finds the valid provisions of the law are so essentially and inseparably connected with and depend upon the void provision that it cannot be presumed the Legislature would have enacted the remaining valid provisions without the void one or unless the court finds the remaining provisions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 10. No part of the appropriations made by this act shall be used to pay for hospital or institutional care or training at rates in excess of those charged to the general public for the same care and services.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. TOMPKINS. Mr. Speaker, this is a Conference Report on the General Appropriation bill.

I signed this bill as one of the Conferees, I might say reluctantly, and I did so only after direction of the Republican Members of this House.

Back on August 5 of this year, when we passed the four percent sales tax there were 18 Republican Members who voted for that bill because of the fact they were promised at that time that there was \$28 million additional which would be provided from that revenue for educational purposes, over and above what was in the Governor's budget. That was a straw to which we tried to attach ourselves to get some moneys for House Bill 1108 which passed this chamber yesterday.

When we came to the Conference Committee on this bill we were suddenly informed that there was no \$28 million, that by one means or another, or by one device or another the \$28 million had vanished in thin air and there just was no such amount of money. That, of course, does not leave a very good taste in the mouths of those who voted for that tax measure with the understanding that there would be that amount of additional money available for education.

I made proposals as the Republican Conferee of the House to the Conference Committee as to how we could get that \$28 million. They were all rejected. At least one of those proposals we thought was sound, but nevertheless it was rejected by the conferees. That left me no choice excepting with the approval of the Members, the Republican Members of the House, to refuse to sign this report, but realizing and facing stark reality, as we must at times, that the money had disappeared someplace, I signed this report because of the fact that we do need to get the necessary revenues for the general operation of the government of this Commonwealth.

Again the Republican Members of this House have endeavored to show some sense of responsibility in seeing that this government is operated and that it is operated in some responsible fashion. It is for that reason, and that reason alone, that I signed this report as one of the conferees, and I merely want this information to be a matter of record so when we look back upon it we can all understand that no matter how it may have happened, or by what device it may have happened, there were at least 18 Republican Members who were induced to vote for a sales tax for moneys which have vanished.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Washington, Mr. Polen?

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. McCORMACK. I understand that a bill was reported out of the Rules Committee today with respect to an increase in the salaries of the judges of the Municipal Court of Philadelphia, and I am wondering whether or not there is any provision in this bill to cover that increase if it is passed.

Mr. POLEN. Mr. Speaker, the amount for the judicial department of the Commonwealth is the amount that was requested by the Judiciary and is the amount in the budget and the amount in this bill. If there are any additional salary raises they are not included in the bill.

Mr. McCORMACK. Then if that salary bill is passed there will not be money to pay for it in this budget?

Mr. POLEN. Not unless an appropriation would be provided in the bill for it.

Mr. McCORMACK. I see. Now with respect to the—I believe it is the \$6000 dollar appropriation for the investigation of the Department of Public Instruction . . .

Mr. POLEN. What is the question, Mr. Speaker?

Mr. McCORMACK. Was that agreed to or was that stricken out of this budget?

Mr. POLEN. That is in the Conference Report on House Bill 2326. The bills were presented and the amount has been agreed to.

Mr. McCORMACK. That is all. I thank the gentleman.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Garlock,	McCormack,	Riley,
Anderson,	Gelfand,	McDonald,	Rovanssek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Sakulsky,
Barton,	Goldstein,	McLaughlin,	Scarcelli,
Bell,	Goodrich,	Machmer,	Schaaf,
Blair,	Gramlich,	Magee,	Schuster,
Boles,	Guthrie,	Mahan,	Schwartz,
Bonner,	Hamilton,	Markley,	Seltzer,
Bower,	Heavey,	Maxwell,	Sherman,
Bowman,	Heffner,	Meholchick,	Shupnik,
Branca,	Henzel,	Merry,	Silverman,
Brenninger,	Holliday,	Mihm,	Snare,
Buchanan,	Holt,	Miller, B. Z.,	Snider,
Burns,	Horst,	Miller, H. G.,	Steckel,
Capitolo,	Irviss,	Mills,	Stevens,
Cianfrani,	Isaacs,	Monroe,	Stewart,
Cioffi,	Jenkins,	Muldowney,	Stimmel,
Clarke,	Jim,	Mullen,	Stoner,
Comer,	Johnson, A. W.,	Munley,	Strausser,
Crossin,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Curwood,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dengler,	Jump,	Murray, J. J.,	Tompkins,
Dennison,	Kamyk,	Musto,	Trusio,
Devlin,	Kee,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Wargo,
Edwards,	Kooker,	O'Donnell, J. P.,	Weldner,
Ellberg,	Korns,	Odoriso,	Welsh,
Eshleman,	Kovolenko,	Ogilvie,	Wescott,
Eshleman,	Kubitsky,	O'Neill,	Wheeler,
Farabaugh,	Lamb,	Parlante,	Whittaker,
Fetterolf,	Lee, A. M.,	Pashley,	Williams, A. D. Jr.
Filo,	Lee, K. B.,	Perry, H. H.,	Williams, E. S.,
Fineman,	Leonard,	Perry, P. E.,	Willard,
Floyd,	Light,	Polaski,	Willaredt,
Flynn,	Limper,	Polen,	Wilt,
Foerster,	Lippincott,	Prendergast,	Worley,
Fox,	Lopresti,	Price,	Wynd,
Frank,	Luigard,	Pursley,	Yatron,
Fulmer,	Lutty,	Reibman,	Yetter,
Galley,	McCandless,	Reidenbach,	Zimmerman,
Gallagher,	McCann,	Renwick,	Andrews,
		Rigby,	Speaker

NAYS—0

NOT VOTING—23

Ashton,	Cooper,	Kornick,	Stone,
Auker,	Dennis,	Moran,	Stroup,
Boris,	Ewing,	Murray, P. G.,	Ujober,
Breth,	Frascella,	Petrosky,	Walsh,
Brown,	Helm,	Rudisill,	Wood,
Capano,	Hocker,	Stank,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the report of the Committee of Conferences was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1748

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1748.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1748, entitled: An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

Respectfully submit the following bill as our report:

EDWARD J. KESSLER,
ROBERT D. FLEMING,
CHARLES R. WEINER,

(Committee on the part of the Senate.)

J. DEAN POLEN,
GEORGE X. SCHWARTZ,
EDWIN W. TOMPKINS,

(Committee on the part of the House of Representatives.)

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The sum of five million dollars (\$5,000,000) or as much thereof as may be necessary is hereby appropriated to the Department of Commerce for the fiscal biennium beginning June 1, 1959 to be expended by making grants for housing and redevelopment assistance as authorized by the act of May 20, 1949 (P. L. 1633) as amended known as the "Housing and Redevelopment Assistance Law" Not more than twenty per centum of the amount herein appropriated shall be allocated or granted to any one political subdivision.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew,	Garlock,	McCormack,	Rigby,
Anderson,	Gelfand,	McDonald,	Rovanssek,
Arlene,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Sakulsky,
Barton,	Goldstein,	McLaughlin,	Scarcelli,
Bell,	Goodrich,	Machmer,	Schaaf,
Blair,	Gramlich,	Magee,	Schuster,
Bonner,	Guthrie,	Mahan,	Schwartz,
Boris,	Hamilton,	Markley,	Seltzer,
Bower,	Heavey,	Maxwell,	Sherman,
Bowman,	Heffner,	Meholchick,	Shupnik,
Branca,	Henzel,	Merry,	Silverman,
Brenninger,	Holliday,	Mihm,	Snare,
Buchanan,	Holt,	Miller, B. Z.,	Snider,
Burns,	Horst,	Miller, H. G.,	Steckel,
Capitolo,	Irviss,	Mills,	Stevens,
Cianfrani,	Isaacs,	Monroe,	Stewart,
Cioffi,	Jenkins,	Muldowney,	Stimmel,
Clarke,	Jim,	Mullen,	Stoner,
Comer,	Johnson, A. W.,	Munley,	Strausser,
Crossin,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Curwood,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Thompson,
Dengler,	Jump,	Murray, J. J.,	Tompkins,

Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Galley, Gallagher,	Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Riley,	Trusio, Varallo, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Bell, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—23

Ashton, Auker, Boles, Breth, Brown, Capano,	Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Moran, Murray, P. G., Petrosky, Rudisill, Stank,	Stone, Stroup, Ujobal, Walsh, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE HOUSE BILL No. 1746

Mr. McCANN. Mr. Speaker, I call up the report of the Committee on House Bill No. 1746.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1746, entitled: An Act making an appropriation to the Pennsylvania Industrial Development Authority.

Respectfully submit the following bill as our report:

EDWARD J. KESSLER,
ROBERT D. FLEMING,
WILLIAM J. LANE,

(Committee on the part of the Senate.)

J. DEAN POLEN,
STEPHEN McCANN,
EDWIN W. TOMPKINS,

(Committee on the part of the House of Representatives.)

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. In addition to all other appropriations the sum of eight million eight hundred twenty thousand dollars (\$8,820,000) is hereby appropriated to the Pennsylvania Industrial Development Authority for the purpose set forth in the act of May 17, 1956 (P. L. 1609) the Pennsylvania Industrial Development Authority Act.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boles, Bower, Bonner, Bowman, Branca, Brenninger, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Galley, Gallagher,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Riley, Rovanssek, Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—23

Ashton, Auker, Boris, Breth, Brown, Capano,	Cooper, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Moran, Murray, P. G., Petrosky, Rudisill, Stank,	Stone, Stroup, Ujobal, Walsh, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing adoption of a sys-

tem for qualification of competent and responsible bidders on highway projects.

On the question,

Shall the bill pass finally?

Mr. STRAUSSER. Mr. Speaker, I had not originally intended to say anything about this bill, but there seems to be quite a bit of misunderstanding and if I can help clear it up I will try to do so.

Actually, Mr. Speaker, I think House Bill No. 2428, Printer's No. 1874, is a good bill in that it will establish qualifications of bidders before bidding on a highway job. The bill intends to establish pre-qualifications of bidders on highway work. Actually, in my opinion, I think this bill would save much embarrassment to low bidders in the event that after being low bidders they discover that they are not qualified to do the work, and having their bid rejected because of that reason, because of not being qualified by not having sufficient equipment, not being qualified because of a poor job done a year or two before relating to the past record. This intends to set up qualifications on experience; certainly we want experienced highway contractors to build our highways. It intends to pre-qualify a bidder on personnel and organization. Contractors with experienced supervision, inexperienced personnel, certainly cannot do the job that is required of them. Financial conditions, the bonding companies naturally see to it that a contractor has sufficient financial backing to complete a job before they will award a contract. So, I see nothing wrong with that being included in the pre-qualification of a bidder.

In fact I am pretty certain that these pre-qualifications have been set up under previous administrations. How they did it, I did not think that was necessary, but I do remember that qualifications have been set up during previous administrations, not only on highway construction but on all state work. Actually, I think the bill is good in every respect and I do not think that any contractor or anyone else has any room to object to the provisions of this bill. I urge that the House vote in favor of it.

Mr. COMER. Mr. Speaker, I would like to add a couple of brief remarks to what the gentleman said.

This new feature has been added to this bill that will allow the constructors in the highway business to come in and sit down with the Highway Department and formulate the program.

There is a little bit of a switch in that. When this section was in 1702 which was defeated in the House, there was a point raised that if the Secretary of Highways had too much power and if he did not like a contractor or a constructor he could toss his bid out. With the constructors in there with the Secretary of Highways setting up the pre-qualifications, I feel that all this would be overcome. I ask the Members on both sides of the House to vote for the bill.

Mr. GOLDSTEIN. Mr. Speaker, this particular bill represents a new concept in the administration of state government. It is a special privilege for a special group—the Constructors' Association of the State of Pennsylvania.

Why should this particular group be the consultant with the Secretary of Highways? If some little man wants to go into the contracting business, he will be out of luck completely. If the Secretary of Highways wants to establish a set of regulations, he should do it. Once we have a system whereby the Secretary of Highways goes into a

closed cabinet with the Constructors' Association of Pennsylvania, then you will have a closed shop so far as contractors are concerned.

In the long run, this will be to the detriment of the taxpayers and for the benefit of the Constructors' Association.

This is special legislation and we think it should be defeated.

Mr. STRAUSSER. Mr. Speaker, while the bill does invite the highway constructors to advise the Secretary, it also provides that any other parties in interest who have notified the Secretary of Highways in writing of such interest, shall by regulations established may from time to time modify them. So, it is not confined to a road building contractor.

Believe me, I am not a member of any contractors' association—I want that clear too—I do not build highways. So, I do not see where it is a closed shop, or can be classed as a closed shop bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—127

Anderson,	Gallagher,	McCandless,	Prendergast,
Arlene,	Garlock,	McCann,	Pursley,
Balthaser,	Gelfand,	McCormack,	Renwick,
Barton,	Gramlich,	McDonald,	Riley,
Bell,	Hamilton,	McLaughlin,	Rovanske,
Bonner,	Heavey,	Machmer,	Sakulsky,
Boris,	Heffner,	Magee,	Scarcelli,
Bower,	Holt,	Maxwell,	Schaaf,
Bowman,	Horst,	Meholchick,	Schuster,
Branca,	Irvia,	Merry,	Schwartz,
Burns,	Isaacs,	Milhm,	Seltzer,
Capitolo,	Jenkins,	Miller, B. Z.,	Sherman,
Cioffi,	Jim,	Mills,	Shupnik,
Clarke,	Johnson, A. W.,	Monroe,	Silverman,
Comer,	Jones, F. R.,	Muldowney,	Snider,
Crossin,	Jump,	Mullen,	Stewart,
Curwood,	Kamyk,	Munley,	Strausser,
Davis,	Kee,	Murphy, A. J., Jr.	Sullivan,
Dengler,	Kelser,	Murphy, P. J.,	Taylor,
Devlin,	Kernaghan,	Murray, H. P.,	Tompkins,
Donahue,	Kessler,	Murray, J. J.,	Truslo,
Dougherty,	Knecht,	Musto,	Varallo,
Eilberg,	Kovolenko,	Needham,	Varnier,
Eshback,	Kubitsky,	Nelson,	Verona,
Farabaugh,	Lamb,	O'Donnell, J. A.,	Wargo,
Filo,	Lee, A. M.,	O'Donnell, J. P.	Welsh,
Floyd,	Leonard,	Odorlalo,	Whittaker,
Flynn,	Limper,	O'Neil,	Williams, E. S.,
Foerster,	Lippincott,	Pashley,	Yatron,
Fox,	Lopresti,	Perry, H. H.,	Yetter,
Frank,	Luigard,	Polaski,	Zimmerman,
Galley,	Lutty,	Polen,	

NAYS—45

Agnew,	Goldstein	Markley,	Wall,
Brenninger,	Goodrich,	Miller, H. G.,	Weldner,
Buchanan,	Henzel,	Naugle,	Wescott,
Dennison,	Holliday,	Ogilvie,	Williams, A.D., Jr.,
Donaldson,	Johnson, R.,	Price,	Willard,
Down,	Jones, T. H. W.,	Rigby,	Wilt,
Edwards,	Kooker,	Royer,	Worley,
Eshleman,	Korns,	Steckel,	Wynd,
Fetterolf,	Lee, K. B.,	Stevens,	Andrews,
Fulmer,	Light,	Stimmel,	Speaker
George,	McInroy,	Stoner,	
Gibb,	Mahan,	Thompson,	

NOT VOTING—36

Ashton,	Dennis,	Moran,	Snare,
Auker,	Ewing,	Murray, P. G.,	Stank,
Blair,	Fineman,	O'Dell,	Stone,
Boles,	Frascella,	Parlante,	Stroup,
Breth,	Guthrie,	Perry, P. E.,	Ujohal,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Reibman,	Wheeler,
Cianfrani,	Kornick,	Reidenbach,	Willaredt,
Cooper,	McKeever,	Rudisill,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE OF CONFERENCE DISCHARGED

Mr. McCANN. Mr. Speaker, I move that the Committee of Conference appointed on House Bill No. 2100, Printers' No. 1639, be discharged and that the House recedes from its non-concurrence in the Senate Amendments, and concur in the amendments made by the Senate.

Mr. WORLEY. What page is this bill on in the calendar.

The SPEAKER pro tempore. This bill is not on the calendar.

Mr. WORLEY. This seems to be a new procedure to me have a roll call on a bill that is not on the calendar.

The SPEAKER pro tempore. This is not a bill, for the information of the gentleman.

Mr. WORLEY. It is an amendment though.

The SPEAKER pro tempore. It is not a bill.

Mr. WORLEY. We are taking a roll call on amendments on something that does not appear on the calendar.

The SPEAKER pro tempore. This bill was on the calendar. The amendments were presented by the Senate, and this is a motion to accept the amendments made by the Senate to abolish our previous motion to refuse to accept them.

Mr. WORLEY. May I ask, Mr. Speaker, when they were on the calendar, the amendments?

The SPEAKER pro tempore. House Bill 2100 was last on the calendar the week of September 22nd. It has been in the Members' files ever since.

Mr. WORLEY. Mr. Speaker, I desire to be recorded as voting no.

The SPEAKER pro tempore. The gentleman will be recorded as voting no.

Mr. McCANN. There is nothing in order but the roll call, but I ask the Democrat Members of the House to sustain my position and vote aye. We need every single vote on 2100.

Mr. A. W. JOHNSON. Mr. Speaker, there seems to be wholesale confusion as to just what is before this House.

As I understand it, we sent House Bill 2100 over to the Senate. When it got to the Senate they made certain additions to the bill, one of which is, I believe they are changing the tax on soft drinks from the source to the retail level. That is one of the amendments that is in the bill.

We first voted to non-concur in those amendments put in the bill by the Senate. Now we are being asked to go along with the Senate amendments. As I understand, putting the tax on soft drinks at the retail level is agreed upon by the industry and by the various leaders on both sides. I believe that with the confusion that exists here, without any further information being given to me, I think it would be well to concur in the amendments inserted by the Senate to the bill, as I understand it.

When the bill first went from the House over to the Senate it passed 198 to 1, I believe the main thing in the amendments inserted by the Senate is changing the tax on soft drinks from the source to the retail level.

In that connection I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall Mr. Speaker.

Mr. A. W. JOHNSON. Mr. McCann, in order to clear up the confusion that exists with respect to this bill, just what amendments were inserted by the Senate to House Bill 2100 that we are now voting to concur in?

Mr. McCANN. Mr. Speaker, when House Bill 2100 left the House it was called the "procedural sales tax bill," if you recall the discussion. At the time it went to the Senate there was a series of amendments put in. The amendments put in deal with the department store industry of the Commonwealth of Pennsylvania; amendments were put in which deal with the industrial amendments that had been discussed in a series of conferences for over six months; amendments were put in the bill dealing with clearing up the inspection of vehicles; amendments were put in dealing with soda pop. I believe I have covered the main points from my memory of the conference on the bill. Each of the sections of the bill were agreed to at that time except the soda pop section. They were checked very carefully as to their intent and content, and at this time we are receding from our position of non-concurring and are concurring in the bill.

Mr. A. W. JOHNSON. Mr. McCann, when we non-concurred in the Senate amendments for the first time, you say the reason for the non-concurrence was the fact that soft drinks would be taxed at the retail level rather than at the source. Was that the reason for the non-concurrence?

Mr. McCANN. Not exactly, Mr. Speaker. If you recall, when the bill left here the Senate Finance Committee handled all the amendments that went into it. There was a series, or a considerable number of amendments dealing with each different subject, and at that time in non-concurring we had to go to the Conference Committee to check out each of these as they pertained to different items. The soda pop tax was one item that was in the bill that was on non-concurrence. But, in non-concurring at that time, on this and other sections Mr. Speaker, no one had had an opportunity to go over and check every section dealing with each type of industry in the report.

Mr. A. W. JOHNSON. Mr. Speaker, another question. When the bill came over here for concurrence, was it placed on our House calendar for concurrence or non-concurrence in the regular way, and is the bill, as amended, on our file with the printed copy?

Mr. McCANN. Mr. Speaker, the bill is on file on every Member's desk with the print number there. By the motion that I am making the print number you have of House Bill 2100 is the finished product.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate Mr. Lee on this, Austin Lee, one of the conferees.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. As an ex-conferee, I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, is there anything about the amendments inserted in the bill by the Senate that should be brought to the attention of this House

before we vote on concurring in the Senate amendments today?

Mr. A. M. LEE. In answer to the gentleman's question, Mr. Speaker, I would merely confirm what Mr. McCann has said, that we went over each and every section in this bill very carefully in the Conference Committee with all the conferees present and there was an agreement on all these various technical amendments.

The major feature of the bill was the moving of the sales tax from the source to the retail level, and there was complete agreement on all these items involved in the bill.

Now I would be happy to get the bill before me and answer any specific question that you may have, but, as I have pointed out, they were mainly a long series of technical amendments to straighten out various problems in connection with the administration, enforcement and the impact of the sales tax.

Mr. A. W. JOHNSON. Mr. Speaker, with that explanation, we would like to have as many as possible vote to concur in the Senate amendments.

Mr. STEWART. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. STEWART. Mr. Speaker, by concurring in these Senate amendments will there be any loss of revenue to the Commonwealth?

Mr. McCANN. Mr. Speaker, there will not be loss to the Commonwealth, there will be additional revenue to the Commonwealth, sir.

Mr. STEWART. By how much?

Mr. McCANN. Mr. Speaker, it is not assured as to total content of revenue yield, but it definitely will be in the vicinity of \$2 million upward.

Mr. STEWART. I thank the gentleman, Mr. Speaker. I would like to have a slow roll call on this.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Lee.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker, and may I ask this question: Am I going to require a copy of the bill?

Mr. McCORMACK. I do not think you will need a copy of the bill to answer this question.

With respect to the impact of this tax on consumers of bottled or soft drinks, is the impact changed so that the consumers now have to pay it?

Mr. A. M. LEE. I would say, in answer to that, Mr. Speaker, that if the tax is on the product at whatever level, why ultimately the consumer would pay it. The moving of the tax to the retail level would mean that the tax would be separately paid at the time of purchase. On the other hand, if it is at the wholesale level at the present time, why then the tax is passed on to the consumer. So in either event the consumer pays for it.

Mr. McCORMACK. Let us take a hypothetical case. Suppose I buy a soda for fifteen cents. Under the present law is that taxable?

Mr. A. M. LEE. Not that particular transaction, no.

Mr. McCORMACK. Well, if this Conference Committee Report is passed, will it be taxable?

Mr. A. M. LEE. That particular transaction would be

taxable, although in the first instance you would have a tax in the history of the product but it would have been paid at another level, the wholesale level.

Mr. McCORMACK. Well, if this Conference Report is passed now—

Mr. A. M. LEE. It is not a Conference Report.

Mr. McCORMACK. Right. If this bill is passed, and I went into a store and bought a fifteen cent bottle of soft drink, would I now have to pay the tax to the person from whom I purchased it?

Mr. A. M. LEE. That would depend on whether you bought it as part of a restaurant meal or whether you bought it—

Mr. McCORMACK. Well, you do not buy a bottle of soft drink as part of a restaurant meal.

Mr. A. M. LEE. You can buy a soft drink as part of a restaurant meal.

Mr. McCORMACK. I am talking about walking into a corner store—

Mr. A. M. LEE. If you go in and buy just a bottle of soft drink and you pay fifteen cents for it, it is my understanding that under this bill it would be subject to the tax.

Mr. McCORMACK. Thank you.

PARLIAMENTARY INQUIRY

Mr. WORLEY. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WORLEY. Can this House pass a bill that does not appear on the calendar for that day? Is there any authority in the state Constitution, in the decisions of this House or the Rules of this House that gives this House the authority to pass a bill that does not appear on the calendar on the particular day it is passed?

The SPEAKER pro tempore. The question before the House now is not the passage of the bill, but whether or not the House will discharge its committee of conference. We are not voting on the bill itself.

Mr. WORLEY. Well, Mr. Speaker, I will amend my question to state, then, whether we have the right to pass the Senate amendments, or the receding from concurrence, and then taking a roll call vote without it appearing on the calendar? My inquiry is that I do not know of any authority in the state Constitution, in the decisions of the House or in the Rules of the House to give this House the authority to do what we are trying to do now with this bill before the House.

The SPEAKER pro tempore. The Chair will read Section 5 of Article 3 of the Constitution for the information for the gentleman.

Vote on Concurring in Amendments; Reports of Committees of Conference. No amendment to bills by one House, shall be concurred in by the other except by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted by either House only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journals.

That is precisely what the House is presently doing.

Mr. WORLEY. And, Mr. Speaker, is it your decision

that we have that power when we have never voted on the amendments before?

The SPEAKER pro tempore. We voted to nonconcur in the amendments before. We are now seeking to reverse that.

Mr. WORLEY. But we did not take a roll call vote when we nonconcurred, did we, Mr. Speaker? Now we are attempting to take a roll call vote on something not on the calendar.

The SPEAKER pro tempore. It only requires a roll call vote when we concur; when we nonconcur the roll call vote is not required—unless asked for by the Members.

Mr. WORLEY. I agree with that. But here we are trying to take a roll call vote that was not taken before, and the bill is not on today's calendar.

The SPEAKER pro tempore. The bill is on the Members' desks before them now, and has been there since September. There is no requirement in the Constitution that the bill be on the calendar.

Mr. WORLEY. Thank you, Mr. Speaker.

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Mr. STEWART, Mrs. KOOKER and Mr. HORST.

The roll was verified and was as follows:

YEAS—108

Anderson,	Fox,	Limper,	Renwick,
Arlene,	Frank,	Lippincott,	Rovanseck,
Balthaser,	Rigby,	Lopresti,	Royer,
Barton,	Riley,	Luigard,	Sakulsky,
Bonner,	Galley,	Lutty,	Scarcelli,
Bower,	Gallagher,	McCandless,	Schaaf,
Bowman,	Garlock,	McCann,	Schuster,
Brenninger,	George,	McDonald,	Schwartz,
Burns,	Gramlich,	McInroy,	Silverman,
Capitolo,	Hamilton,	McLaughlin,	Snider,
Cianfrani,	Henzel,	Markley,	Steckel,
Cioffi,	Horst,	Merry,	Stimmel,
Clarke,	Irvis,	Mihm,	Stoner,
Comer,	Jim,	Mills,	Strausser,
Davis,	Johnson, A. W.,	Monroe,	Taylor,
Dennison,	Johnson, R.,	Murphy, A. J., Jr.	Thompson,
Devlin,	Jones, F. R.,	Murphy, P. J.,	Trusio,
Donahue,	Jones, T. H. W.	Nelson,	Varallo,
Dougherty,	Kamyk,	O'Donnell, J. A.,	Varner,
Down,	Kaiser,	Ogilvie,	Verona,
Ellberg,	Kessler,	Perry, H. H.,	Weidner,
Farabaugh,	Korns,	Polaski,	Whittaker,
Fetterolf,	Kovolenko,	Polen,	Willard,
Filo,	Lamb,	Prendergast,	Yatron,
Fineman,	Lee, A. M.,	Price,	Yetter,
Floyd,	Lee, K. B.,	Pursley,	
Flynn,	Leonard,	Reidenbach,	Andrews,
Foerster,			Speaker

NAYS—56

Bell,	Heffner,	Miller, B. Z.,	Shupnik,
Branca,	Holliday,	Miller, H. G.,	Stevens,
Buchanan,	Isaacs,	Muldowney,	Stewart,
Crossin,	Jump,	Mullen,	Tompkins,
Curwood,	Kee,	Munley,	Wall,
Donaldson,	Kernaghan,	Musto,	Wargo,
Edwards,	Knecht,	Naugle,	Welsh,
Eshback,	Kooker,	Needham,	Wescott,
Eshleman,	Kubitsky,	O'Donnell, J. P.,	Williams, A. D., Jr.,
Fulmer,	Light,	Odoriso,	Williams, E. S.,
Gelfand,	McCormack,	O'Neill,	Wilt,
Gibb,	Machmer,	Pashley,	Worley,
Goldstein,	Mahan,	Seltzer,	Wynd,
Goodrich,	Meholchick,	Sherman,	Zimmerman,

NOT VOTING—44

Agnew,	Dennis,	Magee,	Rudisill,
Ashton,	Ewing,	Maxwell,	Snare,
Auker,	Frascella,	Moran,	Stank,
Blair,	Guthrie,	Murray, H. P.,	Stone,

Boles,	Heavey,	Murray, J. J.,	Stroup,
Boris,	Helm,	Murray, P. G.,	Sullivan,
Breth,	Hocker,	O'Dell,	Ujobal,
Brown,	Holt,	Parlante,	Walsh,
Capano,	Jenkins,	Perry, P. E.,	Wheeler,
Cooper,	Kornick,	Petrosky,	Willaredt,
Dengler,	McKeever,	Reibman,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, the Committee was discharged, the House receded from it nonconcurrence and concurred in the amendments made by the Senate.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Lopresti, for presiding.

SENATE MESSAGES

SENATE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE ON HOUSE BILLS

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bills numbered and entitled as follows:

HOUSE BILL No. 1746.

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

HOUSE BILL No. 1748.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

HOUSE BILL No. 2326.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

SENATE MESSAGE

RESOLUTION RECALLING SENATE BILL No. 374 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 11, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 374, Printer's No. 401, entitled "An act amending the act of May 28, 1931 (P. L. 202), entitled 'An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties,' changing the license year to commence the first day of January each year," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 2404, entitled:

An Act repealing Section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes," abolishing certain requirements.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. DAVIS. I wanted to inform the House that this is legislation which I had a hand in getting through several sessions ago. I had originally taken a rather dim view of this particular bill. I have studied it very carefully and have gone over it more completely. I am convinced we will be better off to vote "Aye" on it and I so recommend.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew,	Gelfand,	McDonald,	Rovansek,
Anderson,	George,	McInroy,	Royer,
Arlene,	Gibb,	McKeever,	Sakulsky,
Balthaser,	Goldstein	McLaughlin,	Scarcell,
Barton,	Goodrich,	Magee,	Schaaf,
Bell,	Gramlich,	Mahan,	Schuster,
Blair,	Guthrie,	Markley,	Schwartz,
Bonner,	Hamilton,	Maxwell,	Seltzer,
Boris,	Heavey,	Meholchick,	Sherman,
Bower,	Heffner,	Merry,	Shupnlk,
Bowman,	Henzel,	Mihm,	Silverman,
Branca,	Holliday,	Miller, B. Z.,	Snare,
Brenninger,	Holt,	Miller, H. G.,	Snider,
Buchanan,	Horst,	Mills,	Steckel,
Burns,	Irviss,	Monroe,	Stevens,
Capitolo,	Isaacs,	Muldowney,	Stewart,
Cianfrani,	Jenkins,	Mullen,	Stimmel,
Cioffi,	Jim,	Munley,	Stoner,
Clarke,	Johnson, A. W.,	Murphy, A. J., Jr.	Strausser,
Comer,	Johnson, R.,	Murphy, P. J.,	Sullivan,
Crossin,	Jones, F. R.,	Murray, H. P.,	Taylor,
Curwood,	Jones, T. H. W.,	Murray, J. J.,	Thompson,
Davis,	Jump,	Musto,	Tompkins,
Dennison,	Kamyk,	Naugle,	Trusio,
Devlin,	Kee,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varnier,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.	Wargo,
Edwards,	Kooker,	Odorisio,	Weldner,
Ellberg,	Korns,	Ogilvie,	Welsh,
Eshback,	Kovolenko,	O'Neil,	Wescott,
Eshleman,	Kubitsky,	Parlante,	Wheeler,
Farabaugh,	Lamb,	Pashley,	Whittaker,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willard,
Floyd,	Light,	Polen,	Willaredt,
Flynn,	Limper,	Prendergast,	Wilt,
Foerster,	Lippincott,	Price,	Worley,
Fox,	Lopresti,	Pursley,	Wynd,
Frank,	Luigard,	Reibman,	Yatron,
Fulmer,	Lutty,	Reidenbach,	Yetter,
Galley,	McCandless,	Renwick,	Zimmerman,
Gallagher,	McCann,	Rigby,	Andrews,
Garlock,	McCormack,	Riley,	Speaker

NAYS—0

NOT VOTING—25

Ashton,	Dengler,	Kornick,	Stank,
Auker,	Dennis,	Machmer,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobal,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudistill,	Wood,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, it has been pointed out that this is an important bill. I agree in that respect. I would like to say very briefly a few words about this bill.

In Pennsylvania, in the first place, in every crime except murder it is not proper to introduce evidence of prior offenses except in certain instances where the defendant may take the stand, and then certain crimes can be introduced to attack his credibility. However, in the crime of murder, whether or not the defendant takes the stand, we have permitted evidence showing prior offenses even before the jury decides whether he is guilty of the offenses with which he is charged.

I think most people who have studied this situation agree that it is a very unfair thing to permit the defendant's record to be thrown into evidence before he is even found guilty of the offense with which he is charged, if it is murder in the first degree or any degree. I believe this is recognized by the Supreme Court: as a matter of fact, the Supreme Court in certain opinions has recommended that this particular bill be adopted.

Under the present law, the jury is bound to be swayed by evidence of prior offenses which may have nothing to do with the offense the defendant is charged with. As I said, this system has been criticized by a great many people and, I might add, a number of states have this present law that is considered in this bill; also the Armed Forces have this system of first deciding whether or not the person is guilty before you decide what penalty should be imposed.

This proposal, incidentally, was carefully studied by a very select subcommittee of the Joint State Government Commission back in 1949, and the Committee, consisting of many judges and other persons such as law school deans and so on, recommend that this bill be adopted. This bill did pass both the House and Senate twice previously, in '47 and '49, and it also passed the House in '51. It was vetoed by Governor Duff when it passed both Houses as part of a new criminal code in 1949. The veto had nothing to do with this particular measure and the

criminal code itself was vetoed for another reason not being part of this bill, I think it is a very fair, equitable and just bill and will definitely result in a greater degree of justice for defendants in criminal cases. I hope everyone can vote for the bill.

Mr. McCORMACK. Mr. Speaker, I agree to a great extent with what the gentleman from Delaware said about the merits of the bill.

The reason I rise is to question certain provisions in this bill. I am thinking specifically of the radical innovation that this bill would provide where the jury returns a finding of guilty of murder in the first degree. The bill further provides that in that case the jury, after receiving certain relevant information with respect to the character of the defendant and also receives his prior record, if he had one, then goes out the second time, under proper instructions from the judge, and determines the penalty that such defendant shall receive.

The bill provides further that in the event the jury disagrees and cannot reach a verdict, and, of course, there is a requirement that the verdict be unanimous under our law—as to whether or not the defendant shall be sentenced to death or to life imprisonment—it then gives the court the right to discharge the jury and it gives the judge the further right and duty to impose a sentence of life imprisonment.

There is no provision in the bill, of course, that in such a situation the defendant should not be ineligible for parole prior to the expiration of the life sentence, which is something I think ought to be considered.

I am wondering whether or not there have been any court decisions with respect to the right of the court to impose a sentence where a defendant under the Constitution of Pennsylvania is entitled to a jury trial and whether or not that provision is negated by virtue of the fact that the judge is the one who sentences him to life imprisonment, and not the jury that was impanelled to try the case. I have not heard any arguments for or against that, but I certainly think it is something that the House should be enlightened upon, because the defendant being entitled to a jury trial is really not in effect getting a jury trial with respect to the penalty, inasmuch as the judge, where they disagree, is the one who imposes the life sentence.

I think for that reason it might possibly be wise to further study the bill. Outside of that I think the bill has a lot of merit, and I agree, as I said before, with what the gentleman from Delaware said.

Mr. DEVLIN. Mr. Speaker, I rise to concur completely in the remarks of Mr. Lippincott concerning this bill. I rise further to disagree partially with my colleague from Philadelphia, Mr. McCormack.

The defendant definitely has a trial by jury, the verdict is returned, he is found guilty, and then it becomes a question of sentence. Under existing law the jury has to impose the sentence as either death or life imprisonment. Under this bill, if the jury could not agree as to whether the sentence would be death or life imprisonment, the court is authorized to impose life imprisonment. In other words, it is akin to the situation where the defendant remains mute and it is interpreted under the law as a plea of not guilty.

This is good legislation that our appellate courts have for years by obiter dicta insisted that the Legislature

consider and requested that the Legislature pass. This bill was inserted into the General Assembly this Session at the request of, and after a thorough study by, the District Attorneys' Association, which a meeting of my colleague, Mr. Tompkins, and I attended the summer before last. This is the result of a lot of thinking and a lot of work and court opinion. I think we should, and I would ask the House to support the bill unanimously.

Mr. A. J. MURPHY. Mr. Speaker, I certainly agree with the statements made by the previous speaker, but I may misunderstand the bill.

It appears to me—and I would like to be corrected if I am wrong—that this designates a duty upon the jury in a first degree murder trial to go back into conference and designate whether the man should face the death penalty or life in prison.

Then it states on line 3, page 4, of the bill, if the jury's deliberation fails to reach an agreement, then the court shall—and it imposes a mandatory "shall"—impose a life sentence. This would indicate to me that the court could then not, after the jury's deliberation impose a death sentence which would, in effect, eliminate capital punishment if the jury fails to recommend it themselves. It would mean then you take the complete discretion away from the trial judge. Should you have one squeamish person on the jury who finds that a rapist or a murderer should not be given the death penalty, then the court could not impose such a penalty. I think this is a first step in eliminating capital punishment in Pennsylvania, and I do not hesitate to say that I am in favor of capital punishment and would oppose the abolition of that punishment here in Pennsylvania. Should this be the first step, then I am opposed to this bill.

Mr. SCHWARTZ. Mr. Speaker, the only thing that I want to bring to the attention of the Members of the House is that if you had a squeamish person on the jury, you would never get a conviction in the first place.

Mr. A. J. MURPHY. I have had the misfortune of trying a first degree murder trial with one squeamish woman and it resulted in a compromise verdict of second degree murder, Mr. Speaker. I know quite often the squeamish jurors will compromise their own beliefs and come out with a lesser degree but would hold out forever on a capital punishment or death punishment.

Mr. WORLEY. Mr. Speaker, if Senate Bill No. 10, Printer's No. 10, will reduce the application of the death penalty in this Commonwealth, I certainly think we should pass it at this time.

Mr. FINEMAN. Mr. Speaker, I do not think this bill has anything at all to do with the abolition of the death penalty or sustaining the present law concerning the death penalty. It merely gives the defendant a fair trial, which he is entitled to, and there is no arguing with the fact that the introduction of evidence that bears upon a man's prior convictions influences the minds of jurors in determining the innocence or guilt of the defendant.

I urge all the Members of this House to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Agnew,	Gelfand,	McInroy,	Royer,
Anderson,	George,	McKeever,	Sakulsky,
Arlene,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goodrich,	Magee,	Schaaf,
Barton,	Gramlich,	Mahan,	Schuster,
Bell,	Guthrie,	Markley,	Schwartz,
Blair,	Hamilton,	Maxwell,	Seltzer,
Bonner,	Heavey,	Meholchick,	Sherman,
Boris,	Heffner,	Merry,	Shupnik,
Bower,	Henzel,	Mihm,	Silverman,
Bowman,	Holliday,	Miller, B. Z.,	Snare,
Branca,	Holt,	Miller, H. G.,	Snider,
Brenninger,	Horst,	Mills,	Steckel,
Buchanan,	Irvls,	Monroe,	Stevens,
Burns,	Isaacs,	Muldowney,	Stewart,
Capitolo,	Jenkins,	Mullen,	Stimmel,
Clanfrani,	Jim,	Munley,	Stoner,
Cloff,	Johnson, A. W.,	Murphy, P. J.,	Strausser,
Clarke,	Johnson, R.,	Murray, H. P.	Sullivan,
Comer,	Jones, F. R.,	Murray, J. J.,	Taylor,
Crossin,	Jones, T. H. W.,	Musto,	Thompson,
Curwood,	Jump,	Naugle,	Tompkins,
Davis,	Kamyk,	Needham,	Trusio,
Dennison,	Kee,	Nelson,	Varallo,
Devlin,	Kelser,	O'Dell,	Varner,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Verona,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wall,
Dougherty,	Knecht,	Odorisio,	Wargo,
Down,	Kooker,	Ogilvie,	Weidner,
Edwards,	Korns,	O'Neil,	Welsh,
Eilberg,	Kovolenko,	Parlante,	Wescott,
Eshback,	Kubitsky,	Pashley,	Wheeler,
Eskleman,	Lamb,	Perry, H. H.,	Whittaker,
Farabaugh,	Lee, A. M.,	Perry, P. E.,	Williams, A. D. Jr.
Fetterolf,	Lee, K. B.,	Polaski,	Williams, E. S.,
Filo,	Leonard,	Polen,	Willard,
Fineman,	Light,	Prendergast,	Willaredt,
Floyd,	Limper,	Price,	Wilt,
Flynn,	Lippincott,	Pursley,	Worley,
Foerster,	Lopresti,	Reibman,	Wynd,
Fox,	Lulgard,	Reldenbach,	Yatron,
Frank,	Lutty,	Renwick,	Yetter,
Fulmer,	McCandless,	Rigby,	Zimmerman,
Galley,	McCann,	Riley,	
Gallagher,	McDonald,	Rovansek,	
Garlock,			Andrews, Speaker

NAYS—3

Goldstein,	McCormack,	Murphy, A. J., Jr.,
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NOT VOTING—25

Ashton,	Dengler,	Kornick,	Stank,
Auker,	Dennis,	Machmer,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobal,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORTS FROM COMMITTEE

Mr. T. H. W. JONES from the Committee on Judiciary, reported as committed, House Bill No. 2450, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; * * *" further providing for the time within which limited life insurance companies may be formed.

Mr. ZIMMERMAN from the Committee on Boroughs, reported as amended, Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement

of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

BILL ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bill was read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2450, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; * * *" further providing for the time within which limited life insurance companies may be formed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SNIDER asked and obtained permission for the Committee on Agriculture to meet during the session of the House.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2268

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. MUSTO, MEHOLCHICK and JUMP.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION RECALLING SENATE BILL No. 298 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 9, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 298, Printer's No. 1489, entitled "An act making an appropriation out of the fish fund to the Penn-

sylvania Fish Commission for expenses of a modern engineering and biological survey," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1897 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 26, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1897, Printer's No. 1657, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. BOWMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

RESOLUTION

DISCHARGING COMMITTEE ON HOUSE BILL No. 962

Mr. GOLDSTEIN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, November 11, 1959.

Resolved, That House Bill No. 962, entitled "An act amending the act of June 30, 1947 (P. L. 1161) 'An act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employes which cause or threaten to cause strikes, lockouts, slow-downs or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes, declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means, including regulations affecting the rights, powers and privileges of employers and employes for the enforcement of such public policy and providing penalties' including public transportation by trolley or motor bus within the definition of public utility, restating the policy of the act and designating additional parties who may request a mediation," having been referred to the Committee on Labor Relations on March 31, 1959 and the committee not having reported the same to the House for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. GOLDSTEIN. Mr. Speaker, a brief summary of House Bill No. 962 is as follows:

By the Act of 1947 mediation and arbitration procedures were set up for the benefit of the public to settle strikes in electricity, gas, water and steam heat. This particular House Bill 962 extends the provisions of the Act to trolley lines and bus lines. It also makes it possible not only for labor and management to initiate the procedure, but also the mayor of a city or any one hundred citizens.

This bill has been introduced because in 1957 in the city of Pittsburgh we had a long and protracted street car strike. On December 8th, of this year, there is a possibility of another strike. If this bill is passed the newly elected mayor of the city of Pittsburgh would have statutory authority to request the Governor of this state to appoint a mediator. Under this bill the appointment of a mediator is at the sound discretion of the Governor. We feel that the Governor of the state and the mayor of any city should be armed with statutory power to protect the general public, where the general public is being damaged to the degree where it is a hardship upon the people generally.

We ask for a slow roll call on this particular resolution.

The SPEAKER. Would the gentleman from Allegheny accept a standing roll call?

Mr. GOLDSTEIN. No. I ask for a slow roll call, Mr. Speaker.

Mr. McCANN. Mr. Speaker, concerning the discharge resolution presented by the gentleman from Allegheny, Mr. Goldstein, I have checked with the Chairman of the Committee on Labor Relations and the Committee, and that gentleman has asked me to ask all the Members on this side of the House to oppose the motion to discharge the committee from further consideration of the bill.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. GOLDSTEIN and DONALDSON and were as follows:

YEAS—13

Barton,	Fulmer,	Goldstein,	Thompson,
Donaldson,	Garlock,	Lee, K. B.,	Wilt,
Edwards,	Gibb,	Rigby,	Worley,
Eshback,			

NAYS—128

Anderson,	Heffner,	McLaughlin,	Royer,
Arlene,	Henzel,	Markley,	Sakulsky,
Boris,	Holliday,	Meholchick,	Scarcelli,
Bower,	Holt,	Mihm,	Schaaf,
Bowman,	Horst,	Miller, B. Z.,	Schuster,
Branca,	Irviss,	Miller, H. G.,	Schwartz,
Buchanan,	Jim,	Mills,	Seltzer,
Burns,	Johnson, A. W.,	Monroe,	Sherman,
Cioffi,	Johnson, R.,	Mullen,	Shupnik,
Clarke,	Jones, F. R.,	Munley,	Silverman,
Comer,	Jones, T. H. W.,	Murphy, A. J., Jr.,	Snider,
Crossin,	Jump,	Murray, J. J.,	Steckel,
Curwood,	Kamyk,	Musto,	Stevens,
Davis,	Kee,	Naugle,	Stewart,
Dennison,	Keiser,	Needham,	Stimmel,
Devlin,	Kernaghan,	Nelson,	Stoner,
Donahue,	Knecht,	O'Donnell, J. A.,	Taylor,
Dougherty,	Kooker,	O'Donnell, J. P.,	Trusio,
Down,	Korns,	Odorisio,	Varallo,
Farabaugh,	Kovolenko,	Ogilvie,	Varner,
Fetterolf,	Kubitsky,	O'Neil,	Verona,
Filo,	Lamb,	Pashley,	Wall,
Fineman,	Lee, A. M.,	Perry, H. H.,	Wargo,

Floyd,
Flynn,
Fox,
Frank,
Galley,
Gallagher,
Gelfand,
George,
Hamilton,

Leonard,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McCormack,
McDonald,
McInroy,

Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reidenbach,
Renwick,
Riley,
Rovanse,

Weidner,
Wescott,
Williams, A.D., Jr.,
Williams, E. S.,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Fulmer,
Galley,
Gallagher,
Garlock,

Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,

Perry, H. H.,
Perry, P. E.,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Reidenbach,
Renwick,
Rigby,
Riley,

Williams, A.D., Jr.,
Williams, E. S.,
Willard,
Willardt,
Wilt,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NOT VOTING—67

Agnew,
Ashton,
Auker,
Balthaser,
Bell,
Blair,
Boles,
Bonner,
Brenninger,
Breth,
Brown,
Capano,
Capitolo,
Cianfrani,
Cooper,
Dengler,
Dennis,

Ellberg,
Eshleman,
Ewing,
Foerster,
Frascella,
Goodrich,
Gramlich,
Guthrie,
Heavey,
Helm,
Hocker,
Isaacs,
Jenkins,
Kessler,
Kornick,
Light,
Limper,

Lippincott,
McKeever,
Machmer,
Magee,
Mahan,
Maxwell,
Merry,
Moran,
Muldowney,
Murphy, P. J.,
Murray, H. P.,
Murray, P. G.,
O'Dell,
Parlante,
Perry, P. E.,
Petrosky,
Reibman,

Rudisill,
Snare,
Stank,
Stone,
Strausser,
Stroup,
Sullivan,
Tompkins,
Ujobal,
Walsh,
Welsh,
Wheeler,
Whittaker,
Willard,
Willardt,
Wood,

NAYS—3

Munley,

Needham,

Wargo,

NOT VOTING—25

Ashton,
Auker,
Boles,
Breth,
Brown,
Capano,
Cooper,

Dengler,
Dennis,
Ewing,
Frascella,
Helm,
Hocker,

Kornick,
Machmer,
Moran,
Murray, P. G.,
Petrosky,
Rudisill,

Stank,
Stone,
Stroup,
Ujobal,
Walsh,
Wood,

So the question was determined in the negative and the resolution was not adopted.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2150, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Agnew,
Anderson,
Arlene,
Balthaser,
Barton,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Buchanan,
Burns,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,

Gelfand,
George,
Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Hefner,
Henzel,
Holliday,
Holt,
Horst,
Irvis,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. E.,
Jones, T. H. W.,
Jump,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Korns,
Kovolenko,
Kubitsky,

McCormack,
McDonald,
McInroy,
McKeever,
McLaughlin,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Monroe,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,

Rovanse,
Royer,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Steckel,
Stevens,
Stewart,
Stimmel,
Stoner,
Strausser,
Sullivan,
Taylor,
Thompson,
Tompkins,
Trusio,
Varallo,
Varner,
Verona,
Wall,
Weidner,
Welsh,
Wescott,
Wheeler,
Whittaker,

Agnew,
Anderson,
Arlene,
Balthaser,
Barton,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Buchanan,
Burns,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Ellberg,
Eshback,
Eshleman,
Farabaugh,
Fetterolf,

Gibb,
Goldstein,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Hefner,
Henzel,
Holliday,
Holt,
Horst,
Irvis,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jump,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,

McKeever,
McLaughlin,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Monroe,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,

Royer,
Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Steckel,
Stevens,
Stewart,
Stimmel,
Strausser,
Stoner,
Sullivan,
Taylor,
Thompson,
Tompkins,
Trusio,
Varallo,
Varner,
Verona,
Wall,
Wargo,
Weidner,
Welsh,
Wheeler,
Whittaker,
Williams, A.D., Jr.,
Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2413, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for the issuance of temporary registration plates and markers by aldermen justices of the peace and magistrates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Gallagher, Gelfand, George,	Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McInroy,	Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanse,	Willard, Willardett, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—5

Edwards, Galley,	Garlock,	Jones, T. H. W., Wescott,
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NOT VOTING—25

Ashton, Auker, Boles, Breth, Brown, Capano, Cooper,	Dengler, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Machmer, Moran, Murray, P. G., Petrosky, Rudisill,	Stank, Stone, Stroup, Ujobai, Walsh, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg,	Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Hefner, Henzel, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns,	McDonald, McInroy, McKeever, McLaughlin, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. F., Ogilvie,	Rovanse, Royer, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Wargo, Weldner, Welsh,
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Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Galley, Gallagher, Garlock,	Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willardett, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—25

Ashton, Auker, Boles, Breth, Brown, Capano, Cooper,	Dengler, Dennis, Ewing, Frascella, Helm, Hocker,	Kornick, Machmer, Moran, Murray, P. G., Petrosky, Rudisill,	Stank, Stone, Stroup, Ujobai, Walsh, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1560, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

On the question,

Shall the bill pass finally?

Mr. GOODRICH. Mr. Speaker, this bill was defeated several weeks ago and since then there have been efforts to amend the bill to make it satisfactory to all concerned. Insofar as most of the rural areas of Pennsylvania, the bill is no better than it was before. The reasons as stated before apply to it now, and I ask the House to vote against the bill.

Mr. RENWICK. Mr. Speaker, I, too, want to concur with what Mr. Goodrich said. I think most of you people are familiar with this bill for we debated it at length some time ago. This, I want you to bear in mind, increases the price that the Department of Forests and Waters can pay for land. It increases it from \$10 an acre to \$50 an acre, and that, to me, is what we are opposed to. So, I ask you again to defeat this bill.

Mr. TOMPKINS. I am not going to repeat the debate upon this bill which was made several weeks ago. I merely want to concur in what the gentlemen from Potter and Elk have said about it and ask that you vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—63

Anderson,	Holt,	Mills,	Sherman,
Arlene,	Horst,	Monroe,	Shupnik,
Branca,	Irvls,	Mullen,	Silverman,
Buchanan,	Isaacs,	Musto,	Snider,
Curwood,	Jim,	Naugle,	Stevens,
Dougherty,	Jones, F. R.,	Needham,	Stewart,
Edwards,	Jump,	Nelson,	Taylor,
Eshback,	Kamyk,	O'Donnell, J. P.	Varallo,
Filo,	Korna,	Polen,	Verona,
Floyd,	Leonard,	Price,	Wall,
Foerster,	Lutty,	Pursley,	Wilt,
Fox,	McCandless,	Reidenbach,	Wynd,
Galley,	McCann,	Sakulsky,	Yetter,
Garlock,	McLaughlin,	Scarcelli,	Zimmerman,
Gelfand,	Mahan,	Schuster,	Andrews,
Goldstein	Meholchick,	Schwartz,	Speaker

NAYS—78

Agnew,	George,	Lopresti,	Rigby,
Barton,	Gibb,	Luigard,	Riley,
Boris,	Goodrich,	McCormack,	Rovanssek,
Bower,	Heffner,	McDonald,	Royer,
Bowman,	Henzel,	McInroy,	SchAAF,
Burns,	Holliday,	Markley,	Steckel,
Crossin,	Johnson, A. W.,	Miller, B. Z.,	Stimmel,
Davis,	Johnson, R.,	Miller, H. G.,	Stoner,
Dennison,	Jones, T. H. W.,	Munley,	Strausser,
Devlin,	Kee,	Murphy, A. J., Jr.	Thompson,
Donahue,	Kelser,	O'Donnell, J. A.,	Tompkins,
Donaldson,	Kernaghan,	Odorisio,	Varner,
Down,	Kessler,	Ogilvie,	Wargo,
Eilberg,	Knecht,	O'Neil,	Weldner,
Farabaugh,	Kooker,	Pashley,	Wescott,
Fetterolf,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Flynn,	Kubitsky,	Polaski,	Williams, E. S.,
Frank,	Lamb,	Prendergast,	Worley,
Fulmer,	Lee, A. M.,	Renwick,	Yatron,
Gallagher,	Lee, K. B.,		

NOT VOTING—67

Ashton,	Dengler,	McKeever,	Rudtsill,
Auker,	Dennis,	Machmer,	Seltzer,
Balthaser,	Eshleman,	Magee,	Snare,
Bell,	Ewing,	Maxwell,	Stank,
Blair,	Fineman,	Merry,	Stone,
Boles,	Frascella,	Mihm,	Stroup,
Bonner,	Gramlich,	Moran,	Sullivan,
Brenninger,	Guthrie,	Muldowney,	Trusio,
Breth,	Hamilton,	Murphy, P. J.,	Ujobal,
Brown,	Heavey,	Murray, H. P.,	Walsh,
Capano,	Helm,	Murray, J. J.,	Welsh,
Capitolo,	Hocker,	Murray, P. G.,	Wheeler,
Cianfrani,	Jenkins,	O'Dell,	Whittaker,
Cloff,	Kornick,	Parlante,	Willard,
Clarke,	Light,	Perry, P. E.,	Willaredt,
Comer,	Limper,	Petrosky,	Wood,
Cooper,	Lippincott,	Reibman,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. LOPRESTI IN THE CHAIR

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement * * * defining unlawful acts and acts not unlawful and providing penalties.

On the question,

Shall the bill pass finally?

Mr. SILVERMAN. Mr. Speaker, I just want to say that this bill does not change the existing law in any way. Anybody who has been an appraiser or who does any appraising as a real estate broker can still appraise. The only thing that we do add is that with additional educational requirements he can become a certified public valuator.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SILVERMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar. The motion was agreed to.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2388, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing acquisition of property necessary for present or future highway purposes.

RECONSIDERATION OF VOTE

Mr. A. M. LEE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 222), page 4, line 9, by inserting after "moving": "Provided, however, That no relocation hereunder shall be in violation of any local zoning ordinance, but in the absence of any such ordinances may only be made with the approval of the local political subdivision to which the building or structure is to be moved."

Amend Sec. 1, (Sec. 226), page 5, line 16, by striking out "But" and inserting: "Provided however."

Amend Sec. 1 (Sec. 226), page 5, line 17, by striking out "may" where it appears the first time, and inserting: "shall."

Amend Sec. 1 (Sec. 226), page 5, line 17, by striking out "orders" and inserting: "order."

Amend Sec. 1 (Sec. 226), page 5, line 17, by inserting after "just": "to compensate such owner for any loss occasioned by such condemnation, physical entry and subsequent relinquishment."

Amend Sec. 1 (Sec. 226), page 5, line 19, by inserting after "all": "such."

Amend Sec. 1 (Sec. 242), page 11, lines 2 to 6, by striking out "may pay the owner or if the owner refuses to ac" in line 2, all of lines 3 to 6, and inserting: "shall, prior to taking possession of the property, offer to pay to a claimant having clear title or pay into the court having jurisdiction thereof in the manner to be provided by the rules of court, a sum equal to seventy-five per cent of the amount estimated by the department as the damages which will result from such condemnation. The court shall pay the money to the person entitled thereto upon petition and proof of such entitlement. The amount of money paid into the court shall be taken into consideration in determining the amount of any bond authorized or required by law to be tendered in such proceeding. Payments made pursuant to this section shall not prejudice the rights of the parties to have the true damages

determined in appropriate proceedings. Any payments made pursuant to this act shall be credited upon the award and final judgment provided such award and judgment is in a greater amount. Any payments made in excess of the award and final judgment shall be refunded. Interest on the award of damages shall be limited to the amount, if any, by which the amount of money paid as herein required is less than the award and final judgment."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 22, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments to joint school boards and joint school committees by the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Agnew,	Garlock,	McDonald,	Riley,
Anderson,	Gelfand,	McInroy,	Rovansek,
Arlene,	George,	McKeever,	Royer,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Bell,	Goldstein,	Magee,	Scarcelli,
Blair,	Gramlich,	Mahan,	Schaaf,
Bonner,	Guthrie,	Markley,	Schuster,
Boris,	Hamilton,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Merry,	Sherman,
Brenninger,	Henzel,	Mihm,	Shupnik,
Buchanan,	Holliday,	Miller, H. G.,	Silverman,
Burns,	Holt,	Mills,	Snare,
Capitolo,	Irvie,	Monroe,	Snider,
Cianfrani,	Jenkins,	Muldowney,	Steckel,
Cioffi,	Jim,	Mullen,	Stevens,
Clarke,	Johnson, A. W.,	Munley,	Stewart,
Comer,	Johnson, R.,	Murphy, A. J., Jr.,	Stimmel,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Stoner,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Sullivan,
Davis,	Jump,	Murray, J. J.,	Taylor,
Dennison,	Kamyk,	Musto,	Thompson,
Devlin,	Kee,	Naugle,	Trusio,
Donaldson,	Kessler,	Needham,	Varallo,
Dougherty,	Knecht,	Nelson,	Varnier,
Edwards,	Korns,	O'Dell,	Verona,
Ellberg,	Kovolenko,	O'Donnell, J. A.,	Wall,
Eshback,	Kubitsky,	O'Donnell, J. P.,	Wargo,
Eshleman,	Lamb,	Ogilvie,	Welsh,
Farabaugh,	Lee, A. M.,	O'Neill,	Wheeler,
Fetterolf,	Lee, K. B.,	Parlante,	Whittaker,
Filo,	Leonard,	Pashley,	Williams, A. D. Jr.,
Fineman,	Light,	Perry, H. H.,	Williams, E. S.,
Floyd,	Limper,	Perry, P. E.,	Willard,
Flynn,	Lippincott,	Polaski,	Willaredt,
Foerster,	Lopresti,	Polen,	Wilt,
Fox,	Lulgard,	Prendergast,	Wynd,
Frank,	Lutty,	Price,	Yatron,
Fulmer,	McCandless,	Reibman,	Yetter,
Galley,	McCann,	Reidenbach,	Zimmerman,
Gallagher,	McCormack,	Renwick,	Andrews,
		Rigby,	Speaker

NAYS—18

Barton,	Horst,	Miller, B. Z.,	Tompkins,
Bowman,	Isaacs,	Odorislo,	Weidner,
Donahue,	Keiser,	Pursley,	Wescott,
Down,	Kernaghan,	Strausser,	Worley,
Goodrich,	Kooker,		

NOT VOTING—25

Ashton,	Dengler,	Kornick,	Stank,
Auker,	Dennis,	Machmer,	Stone,
Boles,	Ewing,	Moran,	Stroup,
Breth,	Frascella,	Murray, P. G.,	Ujobal,
Brown,	Helm,	Petrosky,	Walsh,
Capano,	Hocker,	Rudisill,	Wood,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PARLIAMENTARY INQUIRY

Mr. ISAACS. Mr. Speaker, I was standing here to make a parliamentary inquiry. If it is not in order at this time, I will make it after this bill has been passed.

The SPEAKER pro tempore. If the gentleman will state his question of parliamentary inquiry the Chair can rule whether or not it is out of order.

Mr. ISAACS. Mr. Speaker, there is a lot of dissatisfaction around me, and that includes this speaker, that a roll call of 183 votes is being used, when we have 140 votes on the floor of this House. It certainly is nothing more than subterfuge and I for one object to seeing bills passed like that.

The SPEAKER pro tempore. If the gentleman desires the Chair will order an accurate roll call on this particular vote, but as long as there is no objection—

Mr. ISAACS. Mr. Speaker, not only on this roll call but on future roll calls. Let us use a figure that is commensurate with the Members we have in this House.

Mr. McCANN. Mr. Speaker, any bill that is controversial in any way has been acted on. Many of these Senate Bills have been cleared all the way through as non-controversial and I hope that the gentleman from Delaware, Mr. Isaacs, would go along. Any bill that he wants to be passed over, we will pass over.

We are trying to finish up. Everyone knows that the roll call was accurate as to the attendance here today, so I would appreciate his cooperation in this request.

Mr. ISAACS. Mr. Speaker, I have no objection to using an accurate roll call. Let us establish one and use it, but let us not use a roll call of 183 votes.

The SPEAKER pro tempore. The Chair would suggest to the gentleman that it is difficult to establish an accurate roll call because the roll varies on each bill. Members are in and out at all hours and all stages of the Session.

Mr. ISAACS. We have had a number of them. Mr. Speaker, and the last one, I believe there were 141 people here.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate Bill 24, for example is a bill which places into permanent law the base dealing with allocation of gasoline tax funds. The "floor" rather is the right word in the allocation of gasoline tax funds to our municipalities.

The bill also provides that if any increases are made in the gasoline tax the municipalities get a percentage of that tax. This is permanent law and I know of no opposition to the bill in any way because we all favor the allocation of gasoline tax money to our cities, boroughs, towns, townships and so forth. This is a permanent law allocation and I know all of us favor this legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcelli,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irviss,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, T. H. W.,	Munley,	Thompson,
Davis,	Jones, F. R.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Keiser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.,	Weidner,
Ellberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	O'Neil,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Luigard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,

Blair,
Botes,
Brenninger,
Breth,
Brown,
Capano,
Cooper,
Dengler,
Dennis,
Eshleman,

Guthrie,
Heavey,
Helm,
Hocker,
Jenkins,
Kornick,
Light,
McKeever,
Machmer,
Magee,

Murray, P. G.,
O'Dell,
Parlante,
Perry, P. E.,
Petrosky,
Reibman,
Royer,
Rudisill,
Snare,

Stroup,
Sullivan,
Ujobai,
Walsh,
Welsh,
Wheeler,
Whittaker,
Willaredt,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PERMISSION TO ADDRESS HOUSE

Mr. FARABAUGH asked and obtained unanimous consent to address the House.

Mr. Speaker, when the House convenes tomorrow morning I will raise the question of a quorum, and I will then make a motion that those people who are absent without leave shall be brought in.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack rise?

Mr. McCORMACK. To ask for a leave of absence for tomorrow, Mr. Speaker.

The SPEAKER. If the gentleman will consent to have either his leg or his jaw broken, leave of absence is granted.

Mr. HOLLIDAY. Mr. Speaker, I would just like to say that I concur in everything my colleague Mr. Farabaugh said about using the first roll call of the day when we only have about 150 Members here today. There has been a lot of talk during this session about absentees and absentee voting. I think we are voting about 50 people or more today who are not here. Now, in order to save time, though, I am perfectly willing to use a fast roll call on Senate Bill 132.

The SPEAKER. Of course, every Member of the House knows that on any roll call any Member has the right to ask for a verification of the roll.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

Senate Bill No. 74, Printer's No. 279 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 132, entitled:

An Act authorizing the Department of Public Welfare with the approval of the Board of Trustees of the Hollidaysburg State Hospital to contract with the Borough of Hollidaysburg and the Hollidaysburg Sewer Authority for improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Hollidaysburg State Hospital and the payment of part of the cost and maintenance thereafter and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovanssek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcelli,
Bonner,	Goldstein	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Keiser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weidner,
Eilberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A.D., Jr.,
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Fetters,	Lamb,	Perry, H. H.,	Wilt,
Filo,	Lee, A. M.,	Polaski,	Worley,
Fineman,	Lee, K. B.,	Polen,	Wynd,
Floyd,	Leonard,	Prendergast,	Yatron,
Flynn,	Limper,	Price,	Yetter,
Foerster,	Lippincott,	Pursley,	Zimmerman,
Fox,	Lopresti,	Reldenbach,	Andrews,
Frank,	Luigard,	Renwick,	Speaker
Fulmer,	Lutty,	Rigby,	
Galley,			

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boies,	Heavy,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the creation of capital reserve funds regulating the use of such funds and authorizing the levying of taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovanssek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcelli,
Bonner,	Goldstein	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Keiser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weidner,
Eilberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A.D., Jr.,
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reldenbach,	Andrews,
Fulmer,	Luigard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boies,	Heavy,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 227, Printer's No. 1556 and

Senate Bill No. 428, Printer's No. 460

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 654, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

Agnew,	Galley,	McCandless,	Rigby,
Anderson,	Gallagher,	McCann,	Riley,
Arlene,	Garlock,	McCormack,	Rovansek,
Barton,	Gelfand,	McDonald,	Sakulsky,
Bonner,	Gibb,	McInroy,	Scarcelli,
Boris,	Goldstein,	McLaughlin,	Schaaf,
Bower,	Goodrich,	Mahan,	Schuster,
Bowman,	Hamilton,	Markley,	Schwartz,
Branca,	Heffner,	Maxwell,	Seltzer,
Buchanan,	Henzel,	Meholchick,	Sherman,
Burns,	Holt,	Mihm,	Shupnik,
Capitolo,	Horst,	Miller, B. Z.,	Silverman,
Cianfrani,	Irvls,	Miller, H. G.,	Snider,
Cioffi,	Jim,	Mills,	Stevens,
Clarke,	Johnson, A. W.,	Monroe,	Stewart,
Comer,	Johnson, R.,	Muldowney,	Stoner,
Crossin,	Jones, F. R.,	Mullen,	Strausser,
Curwood,	Jones, T. H. W.,	Munley,	Taylor,
Davis,	Jump,	Murphy, A. J., Jr.	Thompson,
Dennison,	Kamyk,	Murray, J. J.,	Tompkins,
Devlin,	Kee,	Musto,	Truslo,
Donahue,	Keiser,	Naugle,	Varallo,
Donaldson,	Kernaghan,	Needham,	Varner,
Dougherty,	Kessler,	Nelson,	Verona,
Down,	Knecht,	O'Donnell, J. A.,	Wall,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Elberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Wescott,
Farabaugh,	Kubitsky,	O'Neill,	Williams, E. S.,
Fetterolf,	Lamb,	Pashley,	Willard,
Filo,	Lee, A. M.,	Perry, H. H.,	Wilt,
Fineman,	Lee, K. B.,	Polaski,	Wynd,
Floyd,	Leonard,	Polen,	Yatron,
Flynn,	Limper,	Prendergast,	Zimmerman,
Foerster,	Lippincott,	Price,	Yetter,
Fox,	Lopresti,	Pursley,	Andrews,
Frank,	Luigard,	Reidenbach,	Speaker
Fulmer,	Lutty,	Renwick,	

NAYS—4

Holliday,	Isaacs,	Williams, A. D., Jr.,	Worley,
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NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 661, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" authorizing the relocation of businesses and families and limiting powers of eminent domain.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—151

Agnew,	Galley,	McCandless,	Riley,
Anderson,	Gallagher,	McCann,	Rovansek,
Arlene,	Garlock,	McCormack,	Sakulsky,
Barton,	Gelfand,	McDonald,	Scarcelli,
Bonner,	Gibb,	McInroy,	Schaaf,
Boris,	Goldstein,	McLaughlin,	Schuster,
Bower,	Goodrich,	Mahan,	Schwartz,
Bowman,	Hamilton,	Markley,	Seltzer,
Branca,	Heffner,	Maxwell,	Sherman,
Buchanan,	Henzel,	Meholchick,	Shupnik,
Burns,	Holliday,	Mihm,	Silverman,
Capitolo,	Holt,	Miller, B. Z.,	Snider,
Cianfrani,	Horst,	Miller, H. G.,	Stevens,
Cioffi,	Irvls,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Crossin,	Johnson, A. W.,	Muldowney,	Strausser,
Comer,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Truslo,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Keiser,	Needham,	Verona,
Dougherty,	Kessler,	Nelson,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Wargo,
Edwards,	Kooker,	O'Donnell, J. P.,	Weidner,
Elberg,	Korns,	Odorisio,	Wescott,
Eshback,	Kovolenko,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kubitsky,	O'Neill,	Williams, E. S.,
Fetterolf,	Lamb,	Pashley,	Willard,
Filo,	Lee, A. M.,	Perry, H. H.,	Wilt,
Fineman,	Lee, K. B.,	Polen,	Worley,
Floyd,	Leonard,	Prendergast,	Wynd,
Flynn,	Limper,	Price,	Yatron,
Foerster,	Lippincott,	Pursley,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Luigard,	Renwick,	Andrews,
Fulmer,	Lutty,	Rigby,	Speaker

NAYS—3

Isaacs,	Kernaghan,	Odorisio,
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NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 662, entitled:

An Act amending the act of May 24, 1945 (P. L. 982) entitled as amended "Redevelopment Cooperation Law" redefining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcelli,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, T. H. W.,	Munley,	Thompson,
Davis,	Jones, F. R.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varnar,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weldner,
Ellberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	O'Neil,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Luigard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobal,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 827, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for payment of certain county treasurers' fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Gallagher,	Lutty,	Rigby,
Anderson,	Garlock,	McCandless,	Riley,
Arlene,	Gelfand,	McCann,	Rovansek,
Barton,	Gibb,	McCormack,	Sakulsky,
Bonner,	Goldstein,	McDonald,	Seltzer,
Boris,	Goodrich,	McInroy,	Scarcelli,
Bower,	Hamilton,	McLaughlin,	Schaaf,
Bowman,	Heffner,	Mahan,	Schuster,
Branca,	Henzel,	Markley,	Schwartz,
Buchanan,	Holliday,	Maxwell,	Sherman,
Burns,	Holt,	Meholchick,	Shupnik,
Capitolo,	Horst,	Mihm,	Silverman,
Cianfrani,	Isaacs,	Miller, B. Z.,	Snider,
Cioffi,	Irvis,	Miller, H. G.,	Stevens,
Clarke,	Jim,	Mills,	Stewart,
Comer,	Johnson, A. W.,	Monroe,	Stoner,
Crossin,	Johnson, R.,	Muldowney,	Strausser,
Curwood,	Jones, F. R.,	Mullen,	Taylor,
Davis,	Jones, T. H. W.,	Munley,	Thompson,
Dennison,	Jump,	Murray, J. J.,	Tompkins,
Devlin,	Kamyk,	Musto,	Trusio,
Donahue,	Kee,	Naugle,	Varnar,
Donaldson,	Kelser,	Needham,	Varallo,
Dougherty,	Kernaghan,	Nelson,	Verona,
Down,	Kessler,	O'Donnell, J. A.,	Wall,
Edwards,	Knecht,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kooker,	Odorisio,	Weldner,
Eshback,	Korns,	Ogilvie,	Wescott,
Farabaugh,	Kovolenko,	O'Neil,	Williams, A. D., Jr.,
Fetterolf,	Kubitsky,	Pashley,	Williams, E. S.,
Filo,	Lamb,	Perry, H. H.,	Willard,
Fineman,	Lee, A. M.,	Polaski,	Wilt,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Fulmer,	Lopresti,	Reidenbach,	Andrews,
Galley,	Luigard,	Renwick,	Speaker

NAYS—2

Murphy, A. J., Jr., Worley,

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobal,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 853, Printer's No. 1464

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcelll,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, T. H. W.,	Munley,	Thompson,
Davis,	Jones, F. R.,	Murphy, A. J., Jr.,	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.,	Weidner,
Elberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lee, A. M.,	Perry, H. H.,	Wilt,
Fineman,	Lee, K. B.,	Polaski,	Worley,
Floyd,	Lamb,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Lulgard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,
Auker,	Frascella,	Moran,
Balthaser,	George,	Murphy, P. J.,
Bell,	Gramlich,	Murray, H. P.,
Blair,	Guthrie,	Murray, P. G.,
Boles,	Heavey,	O'Dell,
Brenninger,	Helm,	Parlante,
Breth,	Hocker,	Perry, P. E.,
Brown,	Jenkins,	Petrosky,
Capano,	Kornick,	Reibman,
Cooper,	Light,	Royer,
Dengler,	McKeever,	Rudisill,
Dennis,	Machmer,	Snare,
Eshleman,	Magee,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. Tomorrow the mileage checks will be available for distribution to those who are here.

STATEMENT BY THE MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, since Mr. Farabaugh made his declaration of intention I have been kind of mulling over in my mind just what kind of a day we will have tomorrow.

When you were talking about picking up mileage checks it gave me an opportunity. If the motion is made and obviously there is not a quorum, he says that he will even go further and move that the absentee Members be brought in.

I can see what that would entail. That would mean that we would lock the doors of the House and sit here and wait for Members to be brought in from Erie and elsewhere. So I think if the motion is made, instead of you people checking out of the hotels and saying that you will not be there tomorrow night, you had better arrange to be in the hotel tomorrow night because I have been here when we have done that very thing and sometimes it becomes a two-day ordeal. But we should at least instruct the Chief Clerk to send wires to all these people tonight that are not here now so that they will have an opportunity to come in here in an orderly fashion and we can proceed tomorrow without delay and not have to wait here while the absentees are being brought in.

The SPEAKER. Might the Chair reply to the Minority Leader?

We only lock the doors and sit here when there is an absence of a quorum. We can have 190 Members in the House and still send for the absentees. As long as we have a quorum we can do business and send for the absentees also.

Mr. A. W. JOHNSON. Mr. Speaker, I thank you for that information.

Now what do you think of the suggestion that the Chair instruct the Chief Clerk to send out wires to these people so they will be here tomorrow?

The SPEAKER. I think it is a very good suggestion that the absentees be notified in adequate fashion that their presence in the House tomorrow will be urgently desired.

Mr. TOMPKINS. Mr. Speaker, along that line, I am just thinking about maybe asking to revoke the leaves of absence for some five or seven Members who are in Puerto Rico and that you have the Majority Leader, the Minority Leader, the Minority Whip and the Majority Whip delegated as the proper officers to go to Puerto Rico and bring them back.

The SPEAKER. The Chair desires to say that having sent for and notified the Members in Puerto Rico to be here, if they are not here when they return from their happy jaunt, if we want to censure them and the House so desires, the House can, under the Rules, impose its penalty as it may desire.

Mr. McCANN. Mr. Speaker, all I would really like to say is, instead of sending me to Puerto Rico to bring back those Members who officially have a leave on official business down there in the Council of Governments meeting, whatever it is, in San Juan, Puerto Rico, I have only one place I want to go to. I want to get done and go home to my wife and my family.

So let us move on with the calendar.

The SPEAKER. It will be within the bounds of possibility, after a careful examination of the powers inherent in the Chair and the Chief Clerk that the Majority Leader can be delegated as a special sergeant-at-arms to go to Puerto Rico and produce the bodies in the Hall of the House of the people that are there.

Mr. FARABAUGH. Mr. Speaker, I would like to just make a brief statement and since the Majority Leader is so urgently trying to get through with the work, I will make it very brief.

I would like to say to the Minority Leader that he might consider himself lucky that I did not do this a week or so ago, as far as he is concerned.

In regard to sending out telegrams I think every Member of this House got a notice last week what the session was this week and it is their duty to be here.

PERMISSION TO ADDRESS HOUSE

Mr. GELFAND asked and obtained unanimous consent to address the House.

Mr. SPEAKER, I wish to continue the discussion along the vein in which it has started.

In going over the calendar today I find we have a dearth of important bills left over for us to act upon tomorrow. Inasmuch as we obviously can clear this calendar tonight if we sit here and do so, I cannot see any necessity to make Members who have gone home already and those of us who think there is nothing important to do tomorrow to remain for a session because of the obstinate stubbornness of the leadership.

The SPEAKER. The Chair is not committed to that particular form of view and in the opinion of the Speaker, he considers it due to the longevity of the Session.

Mr. GELFAND. Mr. Speaker, I am aware that I am being a little intemperate in my remarks but sometimes circumstances call for intemperateness.

I can see no need for us to sit here tomorrow when obviously the calendar is going to be very, very sparse. I think if we would come here next week, that type of legislation and the type of activity that we can perform tomorrow could easily be done on Monday.

We wasted a great deal of time today. We wasted a great deal of time yesterday and if we come here tomorrow, obviously we will do the same thing.

I think it is a burden on most of the Members of this House to be here under circumstances such as that, and I, therefore, at the end of this day's Session am going to make a motion to adjourn this House until next Monday.

Mr. McCANN. Mr. Speaker, if the gentleman from Philadelphia—

The SPEAKER. The Chair did not hear the gentleman from Philadelphia.

Mr. McCANN. I did, Mr. Speaker.

If the gentleman from Philadelphia has the plans all worked out so lovely, he knows all of the schedule on House bills, and all those from Committee that can be worked out in that time, then Mr. Speaker, he certainly can fulfill that schedule and all the bills that are moving right out.

Tomorrow is just as important on House bills, moving them right up through the calendar, as it is to complete the work by Friday of that week.

Mr. GELFAND. Well, if this House operates on a full day tomorrow, I will apologize to the Majority Leader.

Mr. McCANN. What does he consider a full day? Any day that any bill is moved in this House is a working schedule. Mr. Speaker, I know full well that it is easy to say—and I have no more desire to be here day after day, week after week, than any other Member. I have a wife and a family and I like to be home. I am here from Sunday to Friday; I have to be here. On the working days it was agreed to four days to finish up and five days next week. Tomorrow is an important day in the operation of this House.

Monday, certainly we will get some work done and we will not quite get everything done on Monday, but it is a part of the program to complete the work.

Mr. SCHWARTZ. Mr. Chairman, I am just wondering whether there is not some happy middle ground that might be reached. It seems a shame this late in the session—let me explain, I am going to be here tomorrow, so I am in no difficulty—but it seems a shame to pull the string, so to speak, at this late date and cause this difficulty and confusion. It has been a very long, hard session. Some tempers are frayed. I do not feel badly because I am here and going to be here tomorrow but some people may have to be some place else. So long as we have enough Members to do business with, I think we ought to proceed just as we have in the past. I think it is a shame to do what is contemplated as going to happen tomorrow.

BILLS PASSED OVER

There being no objection

Senate Bill No. 925, Printer's No. 1088; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physicians' certificate and extending the period of time during which certain persons may be restrained.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Garlock,	McCandless,	Riley,
Anderson,	Gallagher,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcell,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Mehoichick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,

Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weidner,
Ellberg,	Kooker,	Odorizio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Lulgard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobal,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 983, Printer's No. 1531; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakusky,
Barton,	Gibb,	McDonald,	Scarcell,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,

Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weidner,
Ellberg,	Kooker,	Odorizio,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Lulgard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobal,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakusky,
Barton,	Gibb,	McDonald,	Scarcell,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,

Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.,	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.,	Weidner,
Ellberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Willard,
Farabaugh,	Kovolenko,	O'Neil,	Williams, A. D., Jr.,
Fetterolf,	Kubitsky,	Pashley,	Williams, E. S.,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Luigard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 1059, Printer's No. 1574 and

Senate Bill No. 1081, Printer's No. 1361

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restrictions limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Gallagher,	Lutty,	Rigby,
Anderson,	Garlock,	McCandless,	Riley,
Arlene,	Gelfand,	McCann,	Rovansek,
Barton,	Gibb,	McCormack,	Sakulsky,
Bonner,	Goldstein,	McDonald,	Scarcelli,
Boris,	Goodrich,	McInroy,	Schaaf,
Bower,	Hamilton,	McLaughlin,	Schuster,
Branca,	Heffner,	Mahan,	Schwartz,
Buchanan,	Henzel,	Markley,	Seltzer,
Burns,	Holliday,	Maxwell,	Sherman,
Capitolo,	Holt,	Meholchick,	Shupnik,
Cianfrani,	Horst,	Mihm,	Silverman,
Cioffi,	Isaacs,	Miller, B. Z.,	Snider,
Clarke,	Irvis,	Miller, H. G.,	Stevens,
Comer,	Jim,	Mills,	Stewart,
Crossin,	Johnson, A. W.,	Monroe,	Stoner,
Curwood,	Johnson, R.,	Muldowney,	Strausser,
Davis,	Jones, F. R.,	Mullen,	Taylor,
Dennison,	Jones, T. H. W.,	Munley,	Thompson,
Devlin,	Jump,	Murphy, A. J., Jr.,	Tompkins,
Donahue,	Kamyk,	Murray, J. J.,	Trusio,
Donaldson,	Kee,	Musto,	Varallo,
Dougherty,	Kelser,	Naugle,	Varner,
Down,	Kernaghan,	Needham,	Verona,
Edwards,	Kessler,	Nelson,	Wall,
Ellberg,	Knecht,	O'Donnell, J. A.,	Wargo,
Eshback,	Kooker,	O'Donnell, J. P.,	Weidner,
Farabaugh,	Korns,	Odorisio,	Wescott,
Fetterolf,	Kovolenko,	O'Neil,	Williams, A. D., Jr.,
Filo,	Kubitsky,	Pashley,	Williams, E. S.,
Fineman,	Lamb,	Perry, H. H.,	Willard,
Floyd,	Lee, A. M.,	Polaski,	Wilt,
Flynn,	Lee, K. B.,	Polen,	Worley,
Foerster,	Leonard,	Prendergast,	Wynd,
Fox,	Limper,	Price,	Yatron,
Frank,	Lippincott,	Pursley,	Yetter,
Fulmer,	Lopresti,	Reidenbach,	Zimmerman,
Galley,	Luigard,	Renwick,	Andrews,
			Speaker

NAYS—2

Bowman,

Ogilvie,

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobai,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Gallagher,	Lutty,	Rigby,
Anderson,	Garlock,	McCandless,	Riley,
Arlene,	Gelfand,	McCann,	Rovansky,
Barton,	Gibb,	McCormack,	Sakulsky,
Bonner,	Goldstein,	McDonald,	Scarcell,
Boris,	Goodrich,	McInroy,	Schaaf,
Bower,	Hamilton,	McLaughlin,	Schuster,
Branca,	Heffner,	Mahan,	Schwartz,
Buchanan,	Henzel,	Markley,	Seltzer,
Burns,	Holliday,	Maxwell,	Sherman,
Capitolo,	Holt,	Meholchick,	Shupnik,
Cianfrani,	Horst,	Mihm,	Silverman,
Cioffi,	Irvins,	Miller, B. Z.,	Snider,
Clarke,	Isaacs,	Miller, H. G.,	Stevens,
Comer,	Jim,	Mills,	Stewart,
Crossin,	Johnson, A. W.,	Monroe,	Stoner,
Curwood,	Johnson, R.,	Muldowney,	Strausser,
Davis,	Jones, F. R.,	Mullen,	Taylor,
Dennison,	Jones, T. H. W.,	Munley,	Thompson,
Devlin,	Jump,	Murphy, A. J., Jr.	Tompkins,
Donahue,	Kamyk,	Murray, J. J.,	Trusio,
Donaldson,	Kee,	Musto,	Varallo,
Dougherty,	Kelsner,	Naugle,	Varnier,
Down,	Kernaghan,	Needham,	Verona,
Edwards,	Kessler,	Nelson,	Wall,
Ellberg,	Knecht,	O'Donnell, J. A.,	Wargo,
Eshback,	Kooker,	O'Donnell, J. P.	Weidner,
Farabaugh,	Korns,	Odoriso,	Wescott,
Fetterolf,	Kovolenko,	O'Neil,	Williams, A.D., Jr.,
Filo,	Kubitsky,	Pashley,	Williams, E. S.,
Fineman,	Lamb,	Perry, H. H.,	Willard,
Floyd,	Lee, A. M.,	Polaski,	Wilt,
Flynn,	Lee, K. B.,	Polen,	Worley,
Foerster,	Leonard,	Prendergast,	Wynd,
Fox,	Limper,	Price,	Yatron,
Frank,	Lippincott,	Pursley,	Yetter,
Fulmer,	Lopresti,	Reidenbach,	Zimmerman,
Galley,	Luigard,	Renwick,	Andrews,

Speaker

NAYS—2

Bowman, Ogilvie,

NOT VOTING—54

Ashton,	Ewing,	Merry,
Auker,	Frascella,	Moran,
Balthaser,	George,	Murphy, P. J.,
Bell,	Gramlich,	Murray, H. P.,
Blair,	Guthrie,	Murray, P. G.,
Boles,	Heavey,	O'Dell,
Brenninger,	Helm,	Parlante,
Breth,	Hocker,	Perry, P. E.,
Brown,	Jenkins,	Petrosky,
Capano,	Kornick,	Reibman,
Cooper,	Light,	Royer,
Dengler,	McKeever,	Rudisill,
Dennis,	Machmer,	Snare,
Eshleman,	Magee,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHERMAN. Mr. Speaker, it has been my policy on similar bills when it concerns savings banks, which I consider to be conservative institutions, not to invest in unlimited amounts in any, whether it is a development corporation or any other corporation that is not insured. I think I am correct in stating that this bill provides that any bank may purchase or invest in shares of state or regional development corporations.

A good many of us may be too young to remember the depression. I have gone through good times and bad times, and I feel that with the number of banking bills that we have both within the past few weeks and in the future on the calendar that we should be careful in voting on bills of this kind. This is the first Session that I have seen so many banking bills during the three sessions that I have been here, although it seems as if I have been here for twenty years since we have gone through two of the longest sessions in Pennsylvania history.

I feel that no savings banks, which should be conservative in its investments with depositors' money, should be careless, reckless or go toward the field of gambling investments. We are going more and more into making exceptions as to what conservative institutions can do, and for that reason I am against a bill of this kind.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—143

Agnew,	Fulmer,	Lutty,	Reidenbach,
Anderson,	Galley,	McCandless,	Renwick,
Arlene,	Gallagher,	McCann,	Riley,
Barton,	Garlock,	McCormack,	Rovansky,
Bonner,	Gelfand,	McDonald,	Scarcell,
Boris,	Gibb,	McInroy,	Schaaf,
Bower,	Goodrich,	McLaughlin,	Schuster,
Branca,	Hamilton,	Mahan,	Schwartz,
Buchanan,	Heffner,	Markley,	Seltzer,
Burns,	Henzel,	Maxwell,	Shupnik,
Capitolo,	Holliday,	Meholchick,	Silverman,
Cianfrani,	Holt,	Mihm,	Snider,
Cioffi,	Irvins,	Miller, B. Z.,	Stevens,
Clarke,	Isaacs,	Miller, H. G.,	Stoner,
Comer,	Jim,	Mills,	Strausser,
Crossin,	Johnson, A. W.,	Monroe,	Taylor,
Curwood,	Johnson, R.,	Muldowney,	Thompson,
Davis,	Jones, F. R.,	Mullen,	Tompkins,
Dennison,	Jones, T. H. W.,	Munley,	Trusio,
Devlin,	Jump,	Murphy, A. J., Jr.	Varallo,
Donahue,	Kamyk,	Murray, J. J.,	Varnier,
Donaldson,	Kee,	Musto,	Verona,
Dougherty,	Kernaghan,	Naugle,	Wall,
Down,	Kessler,	Needham,	Wargo,
Edwards,	Knecht,	Nelson,	Weidner,
Ellberg,	Korns,	O'Donnell, J. A.,	Wescott,
Eshback,	Kovolenko,	O'Donnell, J. P.	Williams, A.D., Jr.,
Farabaugh,	Kubitsky,	Odoriso,	Williams, E. S.,
Fetterolf,	Lamb,	O'Neil,	Willard,
Filo,	Lee, A. M.,	Pashley,	Wilt,
Fineman,	Lee, K. B.,	Perry, H. H.,	Worley,
Floyd,	Leonard,	Polaski,	Wynd,
Flynn,	Limper,	Polen,	Yatron,
Foerster,	Lippincott,	Prendergast,	Yetter,
Fox,	Lopresti,	Price,	Zimmerman,
Frank,	Luigard,	Pursley,	

NAYS—11

Bowman,	Kelsner,	Rigby,	Stewart,
Goldstein,	Kooker,	Sakulsky,	Andrews,
Horst,	Ogilvie,	Sherman,	Speaker

NOT VOTING—54

Ashton,	Ewing,	Merry,	Stank,
Auker,	Frascella,	Moran,	Steckel,
Balthaser,	George,	Murphy, P. J.,	Stimmel,
Bell,	Gramlich,	Murray, H. P.,	Stone,
Blair,	Guthrie,	Murray, P. G.,	Stroup,
Boles,	Heavey,	O'Dell,	Sullivan,
Brenninger,	Helm,	Parlante,	Ujobal,
Breth,	Hocker,	Perry, P. E.,	Walsh,
Brown,	Jenkins,	Petrosky,	Welsh,
Capano,	Kornick,	Reibman,	Wheeler,
Cooper,	Light,	Royer,	Whittaker,
Dengler,	McKeever,	Rudisill,	Willaredt,
Dennis,	Machmer,	Snare,	Wood,
Eshleman,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Agnew,	Galley,	McCann,	Rovansek,
Anderson,	Gallagher,	McCormack,	Sakulsky,
Arlene,	Garlock,	McDonald,	Scarcell,
Barton,	Gelfand,	McInroy,	Schaaf,
Bonner,	Gibb,	McLaughlin,	Schuster,
Boris,	Goodrich,	Mahan,	Schwartz,
Bower,	Hamilton,	Markley,	Seltzer,
Branca,	Heffner,	Maxwell,	Sherman,
Buchanan,	Henzel,	Meholchick,	Shupnik,
Burns,	Holliday,	Mihm,	Silverman,
Capitolo,	Holt,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Müller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stoner,
Clarke,	Jim,	Monroe,	Strausser,
Comer,	Johnson, A. W.,	Muldowney,	Taylor,
Crossin,	Johnson, R.,	Mullen,	Thompson,
Curwood,	Jones, F. R.,	Munley,	Tompkins,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Truslo,
Dennison,	Jump,	Murray, J. J.,	Varallo,
Devlin,	Kamyk,	Musto,	Varner,
Donahue,	Kee,	Naugle,	Verona,
Donaldson,	Kernaghan,	Needham,	Wall,
Dougherty,	Kessler,	Nelson,	Wargo,
Down,	Knecht,	O'Donnell, J. A.,	Weldner,
Edwards,	Korns,	O'Donnell, J. P.	Williams, A. D., Jr.
Ellberg,	Kovolenko,	Odorisio,	Williams, E. S.,
Eshback,	Kubitsky,	O'Neil,	Willard,
Farabaugh,	Lamb,	Pashley,	Wilt,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Worley,
Filo,	Lee, K. B.,	Polaski,	Wynd,
Fineman,	Leonard,	Polen,	Yatron,
Floyd,	Limper,	Prendergast,	Yetter,
Flynn,	Lippincott,	Price,	Zimmerman,
Foerster,	Lopresti,	Pursley,	Andrews,
Fox,	Luigard,	Reidenbach,	
Frank,	Lutty,	Renwick,	Speaker
Fulmer,	McCandless,	Riley,	

NAYS—8

Bowman,	Horst,	Kooker,	Rigby,
Goldstein,	Keiser,	Ogilvie,	Stewart,

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 1109, Printer's No. 1319 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcell,
Bonner,	Goldstein,	McInroy,	Schaaf,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Meholchick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Müller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Thompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Truslo,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varner,
Donaldson,	Keiser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weldner,
Ellberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korns,	Ogilvie,	Willard,
Farabaugh,	Kovolenko,	O'Neil,	Williams, A. D., Jr.
Fetterolf,	Kubitsky,	Pashley,	Williams, E. S.,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Frank,	Lippincott,	Pursley,	Zimmerman,
Fulmer,	Lopresti,	Reidenbach,	Andrews,
Galley,	Luigard,	Renwick,	Speaker
	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1168, entitled:

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—144

Agnew,	Galley,	McCann,	Riley,
Anderson,	Gallagher,	McCormack,	Rovansek,
Arlene,	Garlock,	McDonald,	Sakulsky,
Barton,	Gelfand,	McInroy,	Scarcell,
Bonner,	Gibb,	McLaughlin,	Schaaf,
Boris,	Goldstein,	Mahan,	Schuster,
Bower,	Goodrich,	Markley,	Schwartz,
Branca,	Hamilton,	Maxwell,	Seltzer,
Buchanan,	Heffner,	Meholchick,	Sherman,
Burns,	Henzel,	Mihm,	Shupnik,
Capitolo,	Holliday,	Miller, B. Z.,	Silverman,
Cianfrani,	Holt,	Miller, H. G.,	Snider,
Cioffi,	Irvls,	Mills,	Stevens,

Clarke,	Jim,	Monroe,	Stewart,
Comer,	Johnson, A. W.,	Muldowney,	Stoner,
Crossin,	Johnson, R.,	Mullen,	Strausser,
Curwood,	Jones, F. R.,	Munley,	Taylor,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.,	Thompson,
Dennison,	Jump,	Murray, J. J.,	Tompkins,
Devlin,	Kamyk,	Musto,	Trusio,
Donahue,	Kee,	Naugle,	Varallo,
Donaldson,	Kessler,	Needham,	Varnier,
Dougherty,	Kooker,	Nelson,	Verona,
Down,	Korns,	O'Donnell, J. A.,	Wall,
Edwards,	Kovolenko,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kubitsky,	O'Neill,	Weldner,
Eshback,	Lamb,	Pashley,	Wescott,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Williams, A.D., Jr.,
Filo,	Lee, K. B.,	Polaski,	Williams, E. S.,
Fineman,	Leonard,	Polen,	Willard,
Floyd,	Limper,	Prendergast,	Wilt,
Flynn,	Lippincott,	Price,	Worley,
Foerster,	Lopresti,	Pursley,	Wynd,
Fox,	Luigard,	Reidenbach,	Yatron,
Frank,	Lutty,	Renwick,	Yetter,
Fulmer,	McCandless,	Rigby,	Zimmerman,

NAYS—10

Bowman,	Isaacs,	Knecht,	Andrews,
Fetterolf,	Kelser,	Odorisio,	Speaker
Horst,	Kernaghan,	Ogilvie,	

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—143

Agnew,	Gallagher,	McCormack,	Rovansek,
Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McInroy,	Scarcell,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bonner,	Goldstein,	Mahan,	Schuster,
Boris,	Goodrich,	Markley,	Schwartz,
Bower,	Hamilton,	Maxwell,	Seltzer,
Branca,	Heffner,	Meholchick,	Sherman,
Buchanan,	Henzel,	Mihm,	Shupnik,
Burns,	Holliday,	Miller, B. Z.,	Silverman,
Capitolo,	Holt,	Miller, H. G.,	Snider,
Cianfrani,	Irvls,	Mills,	Stevens,
Cioffi,	Jim,	Monroe,	Stewart,
	Johnson, A. W.,	Muldowney,	Stoner,

Comer,	Johnson, R.,	Mullen,	Strausser,
Crossin,	Jones, F. R.,	Munley,	Taylor,
Curwood,	Jones, T. H. W.,	Murphy, A. J., Jr.	Thompson,
Davis,	Jump,	Murray, J. J.,	Tompkins,
Dennison,	Kamyk,	Musto,	Trusio,
Devlin,	Kee,	Naugle,	Varallo,
Donaldson,	Kessler,	Needham,	Varnier,
Dougherty,	Knecht,	Nelson,	Verona,
Down,	Korns,	O'Donnell, J. A.,	Wall,
Edwards,	Kovolenko,	O'Donnell, J. P.	Wargo,
Ellberg,	Kubitsky,	O'Neil,	Weidner,
Eshback,	Lamb,	Pashley,	Wescott,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Williams, A.D., Jr.,
Filo,	Lee, K. B.,	Polaski,	Williams, E. S.,
Fineman,	Leonard,	Polen,	Willaredt,
Floyd,	Limper,	Prendergast,	Wilt,
Flynn,	Lippincott,	Price,	Worley,
Foerster,	Lopresti,	Pursley,	Wynd,
Fox,	Luigard,	Reidenbach,	Yatron,
Frank,	Lutty,	Renwick,	Yetter,
Fulmer,	McCandless,	Rigby,	Zimmerman,
Galley,	McCann,	Riley,	

NAYS—11

Bowman,	Horst,	Kernaghan,	Ogilvie,
Donahue,	Isaacs,	Kooker,	Andrews,
Fetterolf,	Keiser,	Odorisio,	Speaker

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willard,
Dengler,	McKeever,	Rudsill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. An examination of Senate Bill 1168 indicates that securities of the Pennsylvania Housing Agency are not an obligation of the Commonwealth. I do not care whether private insurance companies want to risk their money in an enterprise of this kind, but I do believe that fiduciaries, banks and other institutions which hold other peoples' money in a fiduciary capacity should not take that risk. We feel that is giving too much power to these particular individuals.

Mr. SCHWARTZ. Mr. Speaker, I do not think the gentleman from Allegheny need fear too much because these will be we hope, if 1168 is ever activated, legal

investments. We are trying to make them such. This is no different than the FHA. This would be, in fact, a small FHA, trying to help people in the middle income groups who cannot get an FHA mortgage because they do not earn sufficient income. I ask the gentleman to go along with this package of bills because of what the package is attempting to do in our housing economy in the Commonwealth of Pennsylvania—fill a real need in the middle and lower income brackets.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

Agnew,	Fulmer,	McCormack,	Rovansek,
Anderson,	Galley,	McDonald,	Scarcelli,
Arlene,	Gallagher,	McInroy,	Schaaf,
Barton,	Garlock,	McLaughlin,	Schuster,
Bonner,	Gelfand,	Mahan,	Schwartz,
Boris,	Gibb,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Branca,	Hamilton,	Meholchick,	Shupnik,
Buchanan,	Heffner,	Mihm,	Silverman,
Burns,	Henzel,	Miller, B. Z.,	Snider,
Capitolo,	Holliday,	Miller, H. G.,	Stevens,
Clanfrani,	Holt,	Mills,	Stewart,
Cioffi,	Irlis,	Monroe,	Stoner,
Clarke,	Jim,	Muldorney,	Strausser,
Comer,	Johnson, A. W.,	Mullen,	Taylor,
Crossin,	Jones, F. R.,	Munley,	Thompson,
Curwood,	Jones, T. H. W.,	Murphy, A. J., Jr.,	Tompkins,
Davis,	Jump,	Murray, J. J.,	Trusio,
Dennison,	Kamyk,	Musto,	Varallo,
Devlin,	Kee,	Naugle,	Varnier,
Donahue,	Kessler,	Needham,	Verona,
Donaldson,	Knecht,	Nelson,	Wall,
Dougherty,	Korns,	O'Donnell, J. A.,	Wargo,
Down,	Kovolenko,	O'Donnell, J. P.	Weidner,
Edwards,	Kubitsky,	O'Neil,	Wescott,
Ellberg,	Lee, A. M.,	Pashley,	Williams, A.D., Jr.,
Eshback,	Lee, K. B.,	Perry, H. H.,	Williams, E. S.,
Farabaugh,	Leonard,	Polaski,	Willard,
Filo,	Limper,	Polen,	Worley,
Fineman,	Lippincott,	Prendergast,	Wynd,
Floyd,	Lopresti,	Price,	Yatron,
Flynn,	Luigard,	Pursley,	Yetter,
Foerster,	Lutty,	Reidenbach,	Zimmerman,
Fox,	McCandless,	Renwick,	
Frank,	McCann,	Riley,	

NAYS—15

Bowman,	Isaacs,	Kooker,	Sakulsky,
Fetterolf,	Johnson, R.,	Odorisio,	Wilt,
Goldstein,	Keiser,	Ogilvie,	Andrews,
Horst,	Kernaghan,	Rigby,	Speaker

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudsill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. The Chair requests the gentleman from Cambria to preside.

Mr. LOPRESTI IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Agnew,	Galley,	McCormack,	Rovansek,
Anderson,	Gallagher,	McDonald,	Scarcell,
Arlene,	Garlock,	McInroy,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Hamilton,	Maxwell,	Sherman,
Branca,	Heffner,	Meholchick,	Shupnik,
Buchanan,	Henzel,	Mihm,	Silverman,
Burns,	Holliday,	Miller, B. Z.,	Snider,
Capitolo,	Holt,	Miller, H. G.,	Stevens,
Cianfrani,	Irvlis,	Mills,	Stewart,
Cioffi,	Jim,	Monroe,	Stoner,
Clarke,	Johnson, A. W.,	Muldowney,	Strausser,
Comer,	Jones, F. R.,	Mullen,	Taylor,
Crossin,	Jones, T. H. W.,	Munley,	Thompson,
Curwood,	Jump,	Murphy, A. J., Jr.	Tompkins,
Davis,	Kamyk,	Murray, J. J.,	Trusio,
Dennison,	Kee,	Musto,	Varallo,
Devlin,	Kessler,	Naugle,	Varnier,
Donaldson,	Knecht,	Needham,	Verona,
Dougherty,	Korns,	Nelson,	Wall,
Down,	Kovolenko,	O'Donnell, J. A.,	Wargo,
Edwards,	Kubitsky,	O'Donnell, J. P.	Weldner,
Ellberg,	Lamb,	O'Neil,	Wescott,
Eshback,	Lee, A. M.,	Pashley,	Williams, A.D., Jr.,
Farabaugh,	Lee, K. B.,	Perry, H. H.,	Williams, E. S.,
Filo,	Leonard,	Polaski,	Willard,
Fineman,	Limper,	Polen,	Worley,
Floyd,	Lippincott,	Prendergast,	Wynd,
Flynn,	Lopresti,	Price,	Yatron,
Foerster,	Luigard,	Pursley,	Yetter,
Fox,	Lutty,	Reidenbach,	Zimmerman,
Frank,	McCandless,	Renwick,	
Fulmer,	McCann,	Riley,	

NAYS—16

Bowman,	Horst,	Kernaghan,	Rigby,
Donahue,	Isaacs,	Kooker,	Sakulsky,
Fetterolf,	Johnson, R.,	Odoriso,	Wilt,
Goldstein,	Keiser,	Ogilvie,	Andrews,
			Speaker

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Agnew,	Galley,	McCormack,	Rovansek,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Scarcell,
Barton,	Gelfand,	McLaughlin,	Schaaf,
Bonner,	Gibb,	Mahan,	Schuster,
Boris,	Goodrich,	Markley,	Schwartz,
Bower,	Hamilton,	Maxwell,	Seltzer,
Branca,	Heffner,	Meholchick,	Sherman,
Buchanan,	Henzel,	Mihm,	Shupnik,
Burns,	Holliday,	Miller, B. Z.,	Silverman,
Capitolo,	Holt,	Miller, H. G.,	Snider,
Cianfrani,	Irvlis,	Mills,	Stevens,
Cioffi,	Jim,	Monroe,	Stewart,
Clarke,	Johnson, A. W.,	Muldowney,	Stoner,
Comer,	Jones, F. R.,	Mullen,	Strausser,
Crossin,	Jones, T. H. W.,	Munley,	Taylor,
Curwood,	Jump,	Murphy, A. J., Jr.	Thompson,
Davis,	Kamyk,	Murray, J. J.,	Tompkins,
Dennison,	Kee,	Musto,	Trusio,
Devlin,	Kessler,	Naugle,	Varallo,
Donaldson,	Knecht,	Needham,	Varnier,
Dougherty,	Korns,	Nelson,	Verona,
Down,	Kovolenko,	O'Donnell, J. A.,	Wall,
Edwards,	Kubitsky,	O'Donnell, J. P.	Wargo,
Ellberg,	Lamb,	O'Neil,	Weldner,
Eshback,	Lee, A. M.,	Pashley,	Wescott,
Farabaugh,	Lee, K. B.,	Perry, H. H.,	Williams, A.D., Jr.,
Filo,	Leonard,	Polaski,	Williams, E. S.,
Fineman,	Limper,	Polen,	Willard,
Floyd,	Lippincott,	Prendergast,	Worley,
Flynn,	Lopresti,	Price,	Wynd,
Foerster,	Luigard,	Pursley,	Yatron,
Fox,	Lutty,	Reidenbach,	Yetter,
Frank,	McCandless,	Renwick,	Zimmerman,
Fulmer,	McCann,	Riley,	

NAYS—16

Bowman,	Horst,	Kernaghan,	Rigby,
Donahue,	Isaacs,	Kooker,	Sakulsky,
Fetterolf,	Johnson, R.,	Odoriso,	Wilt,
Goldstein,	Keiser,	Ogilvie,	Andrews,
			Speaker

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. D. WILLIAMS. Mr. Speaker, would the Majority Leader give us an explanation of this bill, please?

The SPEAKER pro tempore. Will the Majority Leader consent to be interogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, I would just like to have an explanation. I do not understand it.

Mr. McCANN. Mr. Speaker, I believe Senate Bill No. 1179, Printer's No. 1550, is the bill that amended the dealing with additional appropriation to operate the Korean Conflict Bonus Bureau that we talked about, the \$300,000 appropriation to operate the Korean Bonus Bureau that is needed. This is part of the money we need to pay for the operation of that bureau. We are reimbursed the entire amount of the operation that is chargeable to the bonds, from the bond cost of the total item.

Mr. A. D. WILLIAMS. Mr. Speaker, I have no objection to the addition of this money for postage and other clerical expenses. However, I note on page 4 of the bill, lines 4 and 5, there is a deletion, which to me seems to mean that we are going to include certain veterans who are no longer legal residents of Pennsylvania and make them eligible for this bonus, whereas when we originally passed it they were not eligible. I would like to know how many people this involves and a little background information on it.

Mr. McCANN. Mr. Speaker, for the gentleman's information, he is correct in regard to items being taken out of this bill, and the items being removed include those who are still legal residents of the Commonwealth when this Act became effective. I do not have the total figures of the number eligible but I know it is not extremely heavy because the Bureau, the Department of Military Affairs and the Veterans' organizations have all agreed to this. But I can get the figures for you as to the number of estimated Pennsylvanians qualified for the Korean bonus who became eligible because of this change.

Mr. A. D. WILLIAMS. Mr. Speaker, as I understand it, we are just changing one of the exceptions, which is item 6, which means, as I boil it down, that career service people who had four years' service prior to June 25, 1950 are excluded from the Korean bonus, except where they have been awarded the Korean Service Medal. We used to have in the bill "who are still legal residents." So this means that a regular career person who is not a resident will perhaps get the bonus, where someone who is a resident will not get it? As I read it it does not make much sense.

Mr. McCANN. No, Mr. Speaker. I do not have my notes on it, but that is not correct. I believe it would be reversed, and the men who are in active military service yet, who, when entering the military service, in their records, were Pennsylvania residents, now are eligible for the Korean bonus with this clause. Is that correct?

Mr. A. D. WILLIAMS. Yes, but I do not think that is the clause involved here.

Mr. Speaker, if the Majority Leader would agree I would like this bill passed over until we can get more complete information.

Mr. McCANN. Mr. Speaker, I have the complete file on this bill downstairs.

BILL PASSED OVER

There being no objection

Senate Bill No. 1179, Printer's No. 1550 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Anderson,	Gelfand,	McCormack,	Sakulsky,
Arlene,	Goldstein,	McDonald,	Scarcelli,
Barton,	Goodrich,	McInroy,	Schaaf,
Bonner,	Hamilton,	McLaughlin,	Schuster,
Boris,	Heffner,	Markley,	Schwartz,
Bower,	Henzel,	Maxwell,	Seltzer,
Bowman,	Holliday,	Meholchick,	Sherman,
Branca,	Holt,	Mihm,	Shupnik,
Buchanan,	Irviss,	Miller, B. Z.,	Silverman,
Burns,	Isaacs,	Millis,	Snider,
Capitolo,	Jim,	Monroe,	Stevens,
Cianfrani,	Johnson, R.,	Muldowney,	Stewart,
Cloff,	Jones, F. R.,	Mullen,	Stoner,
Clarke,	Jones, T. H. W.,	Munley,	Strausser,
Comer,	Jump,	Murphy, A. J., Jr.,	Taylor,
Crossin,	Kamyk,	Murray, J. J.,	Thompson,
Curwood,	Kee,	Musto,	Trusio,
Dennison,	Kelser,	Naugle,	Varallo,
Devlin,	Kernaghan,	Needham,	Verner,
Donahue,	Kessler,	Nelson,	Verona,
Dougherty,	Knecht,	O'Donnell, J. A.,	Wall,
Eilberg,	Kooker,	O'Donnell, J. P.,	Wargo,
Eshback,	Korns,	Odorisio,	Weidner,
Farabaugh,	Kovolenko,	O'Neil,	Wescott,
Filo,	Kubitsky,	Pashley,	Williams, A. D., Jr.,
Fineman,	Lamb,	Perry, H. H.,	Williams, E. S.,
Floyd,	Lee, A. M.,	Polaski,	Willard,
Flynn,	Lee, K. B.,	Polen,	Worley,
Foerster,	Leonard,	Prendergast,	Wynd,
Fox,	Limper,	Price,	Yatron,
Frank,	Lippincott,	Pursley,	Yetter,
Fulmer,	Lopresti,	Reidenbach,	Zimmerman,
Galley,	Luigard,	Renwick,	Andrews,
Gallagher,	Lutty,	Rivane,	Speaker
Garlock,	McCann,	Rovasek,	

NAYS—16

Agnew,	Edwards,	Johnson, A. W.,	Ogilvie,
Davis,	Fetterolf,	McCandless,	Rigby,
Donaldson,	Gibb,	Mahan,	Tompkins,
Down,	Horst,	Miller, H. G.,	Wilt,

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Agnew,	Gallagher,	McCandless,	Riley,
Anderson,	Garlock,	McCann,	Rovansek,
Arlene,	Gelfand,	McCormack,	Sakulsky,
Barton,	Gibb,	McDonald,	Scarcell,
Bonner,	Goldstein,	McInroy,	Schaa,
Boris,	Goodrich,	McLaughlin,	Schuster,
Bower,	Hamilton,	Mahan,	Schwartz,
Bowman,	Heffner,	Markley,	Seltzer,
Branca,	Henzel,	Maxwell,	Sherman,
Buchanan,	Holliday,	Mehoichick,	Shupnik,
Burns,	Holt,	Mihm,	Silverman,
Capitolo,	Horst,	Miller, B. Z.,	Snider,
Cianfrani,	Irvis,	Miller, H. G.,	Stevens,
Cioffi,	Isaacs,	Mills,	Stewart,
Clarke,	Jim,	Monroe,	Stoner,
Comer,	Johnson, A. W.,	Muldowney,	Strausser,
Crossin,	Johnson, R.,	Mullen,	Taylor,
Curwood,	Jones, F. R.,	Munley,	Tompson,
Davis,	Jones, T. H. W.,	Murphy, A. J., Jr.	Tompkins,
Dennison,	Jump,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Musto,	Varallo,
Donahue,	Kee,	Naugle,	Varnier,
Donaldson,	Kelser,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Wargo,
Edwards,	Knecht,	O'Donnell, J. P.	Weidner,
Ellberg,	Kooker,	Odorisio,	Wescott,
Eshback,	Korna,	Ogilvie,	Williams, A.D., Jr.
Farabaugh,	Kovolenko,	O'Neill,	Williams, E. S.,
Fetterolf,	Kubitsky,	Pashley,	Willard,
Filo,	Lamb,	Perry, H. H.,	Wilt,
Fineman,	Lee, A. M.,	Polaski,	Worley,
Floyd,	Lee, K. B.,	Polen,	Wynd,
Flynn,	Leonard,	Prendergast,	Yatron,
Foerster,	Limper,	Price,	Yetter,
Fox,	Lippincott,	Pursley,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Fulmer,	Luigard,	Renwick,	Speaker
Galley,	Lutty,	Rigby,	

NAYS—0

NOT VOTING—54

Ashton,	Ewing,	Merry,	Steckel,
Auker,	Frascella,	Moran,	Stimmel,
Balthaser,	George,	Murphy, P. J.,	Stone,
Bell,	Gramlich,	Murray, H. P.,	Stroup,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boles,	Heavey,	O'Dell,	Ujobal,
Brenninger,	Helm,	Parlante,	Walsh,
Breth,	Hocker,	Perry, P. E.,	Welsh,
Brown,	Jenkins,	Petrosky,	Wheeler,
Capano,	Kornick,	Reibman,	Whittaker,
Cooper,	Light,	Royer,	Willaredt,
Dengler,	McKeever,	Rudisill,	Wood,
Dennis,	Machmer,	Snare,	
Eshleman,	Magee,	Stank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 814, Printer's No. 1512, on page 18 of today's calendar, bills on third reading postponed.

Mr. A. W. JOHNSON. Mr. Speaker, may I have the pleasure of interrogating the Majority Leader?

The SPEAKER pro tempore. Will the Majority Leader enjoy being interrogated?

Mr. McCANN. I will, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I have been going over our calendar for a little while and I know that there are quite a few bills that have been put over until Monday, and of course, there will be bills on third reading tomorrow. We will have to caucus on them however, before we can move them tomorrow and I am just wondering whether rather than taking any further time, it is pretty late, we quit and have resolutions tomorrow too.

Mr. McCANN. Satisfactory. It is late. We had agreed actually on a 6:00 o'clock time, and I certainly will consent to that.

BILLS PASSED OVER

There being no objection, the remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 783, Printer's No. 1794, on page 6 of today's calendar, bills on final passage postponed.

BILL INTRODUCED AND REFERRED

By Messrs. GALLAGHER, PRENDERGAST, NELSON and SHUPNIK. HOUSE BILL No. 2451.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reimbursement to school districts on account of textbooks and textual materials.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1746.

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

HOUSE BILL No. 1748.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

HOUSE BILL No. 2100.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or re-defining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

HOUSE BILL No. 2326.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

Mr. A. W. JOHNSON. I wonder if I could interpose a suggestion.

Mr. Speaker, my suggestion is if the Members are leaving they might be interested in knowing what time they come in tomorrow, is it noon or 10:00 a. m.

Mr. McCANN. That and also about Monday following our conference, Mr. Johnson.

Mr. A. W. JOHNSON. That is right. An important announcement with respect to Monday evening.

Mr. McCANN. Mr. Speaker, the House will convene tomorrow at 10:00 a. m. There of course will be a break for a caucus but also we could work and get our work done, completing the votes on the bills. Tomorrow we would be in a position to vote on approximately 15 bills in addition to all the resolutions.

On Monday the plans are for the House to convene one hour sooner so that the Members will have an opportunity for a break for the evening affair. In other words instead of convening the House of Monday at 4:30 it would convene at 3:30 so that we can finish up and have sufficient time for the closing-out ceremony.

Mr. GELFAND. I wish to interrogate the Majority Leader, Mr. Speaker.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, am I correct in assuming that tomorrow is a full working day?

Mr. McCANN. Yes, Mr. Speaker, the gentleman is correct.

Mr. GELFAND. Inasmuch as it is a full working day, Mr. Speaker, am I correct in the notion that bills will be called up in order whether they are controversial or not controversial?

Mr. McCANN. Mr. Speaker, bills will be called up in order that will be controversial and noncontroversial. There are certain bills that were agreed to be checked by various people in their respective areas and go over until Monday. For example, 1963 I think is on Monday, 2171 will be on Monday. There are certain Republican Members, certain Democrat Members who have requested that they want to check with county commissioners, different officers, and the answer will be here on Monday. That was the agreement on the bill yesterday, to pass it over until Monday so they would have the answer and could vote on Monday as they desired either for or against the bill.

Mr. GELFAND. Mr. Speaker, am I correct in my assumption that no bill will be passed over because of a lack of a possible majority to vote for or against the bill.

Mr. McCANN. Mr. Speaker, let us just take any particular example he wants to take. We know what bills are now cleared for Monday. The bills on second reading, I believe there are ten of them, went to third reading today. On those ten going to third reading today, the respective parties will caucus on them. I believe they are almost all House bills going over. Those bills are going to be voted upon.

In addition there should be in the neighborhood of twenty-some bills that were reported out of committee here today as the Committees met individually, Judiciary, Agriculture, Appropriations, Liquor Control, Rules, and so forth. Some are coming out on second reading from Appropriations, some are coming out on first reading, will be moved up and will be in a position to be acted upon on Monday.

Mr. GELFAND. Mr. Speaker, then I am correct in assuming that no bill will be passed over due to mere absenteeism.

Mr. McCANN. Mr. Speaker, I do not intend to pass a bill over because of absenteeism.

Today bills have gone down, the votes were not here and the bill went down. If Members are not voting for a bill that is the end of it, except those bills that have already been agreed to for specific reason and they will be voted Monday whether they go down or pass.

Mr. GELFAND. I thank the gentleman, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. GELFAND. I rise to a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Is it within the province of any Member of the House to call up any bills at any time?

The SPEAKER pro tempore. It is not. Only by unanimous consent can we divert from the regular order of the calendar.

Mr. GELFAND. Is it within the province of any Member of the House to call up a bill in order?

The SPEAKER pro tempore. The bill automatically is called up, or it comes up in order and is passed over by unanimous consent of the House.

Mr. GELFAND. If a Member objects?

The SPEAKER pro tempore. Any Member can object, and of course, the House can then determine what action it desires to take.

Mr. GELFAND. I thank you, Mr. Speaker.

REPORTS FROM COMMITTEES

Mr. LUIGARD from the Committee on Agriculture, re-reported as committed, House Bill No. 953, entitled:

An Act amending the "Cooperative Agricultural Non-Stock Associations Law" approved June 12, 1919 (P. L. 466), providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate

judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn until Thursday, November 12, 1959 at 10:00 a. m. EST.

The motion was agreed to, and (at 6:55 p. m. EST.) the House adjourned.

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